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AGENDA
TOWN BOARD MEETING
TOWN OF GLENVILLE
18 GLENRIDGE ROAD
February 16, 2022
7:00 P.M.
www.townofglenville.org

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

1. Invocation
2. Pledge of Allegiance to the Flag.
3. Roll Call
4. Town Council Reports
5. Public hearing at 7:00PM or as soon thereafter as possible to hear all persons interested in proposed Local Law 1 to amend Article IX, "Sign Requirements", for the Code of the Town of Glenville.
6. Privilege of the Floor
7. Supervisor's Comments
8. Resolution appointing Leann Serafini to the position of Police Officer.
9. Resolution authorizing three promotions within the Highway Department.
10. Resolution approving the purchase of equipment for the Police Department.
11. Resolution approving the Memorandum of Agreement reached between the Town of Glenville and the Glenville Police Benevolent Association for a successor collective bargaining agreement for the term January 1, 2022 through December 31, 2024.
12. Resolution scheduling a public hearing proposing a zoning change as permitted under the Town of Glenville zoning code section 270-24.1 sub-section C, "Storage Overlay District" for construction of a storage facility at 4232 Amsterdam Road.
13. Resolution adopting the proposed Local Law 1 amendments of Article IX, "Sign Requirements", for the code of the Town of Glenville.
14. Resolution authorizing the issuance of \$590,000.00 in serial bonds of the Town to finance the purchase of two new dump trucks for the Highway Department.

15. Resolution approving the minutes of the Regular Town Board meeting held on February 2, 2022.
16. Resolution approving the Monthly Department Reports for January 2022.
17. Resolution authorizing the Director of Parks to approve vendor applications for the 2022 season so long as all other regulatory requirements have been met.
18. New Business

Sponsored by: Christopher A. Koetzle, Town Supervisor
Submitted by: Stephen V. Janik, Police Chief

RESOLUTION NO. 8

Moved by:
Seconded by:

WHEREAS, the 2022 Adopted Budget includes funding to hire two additional police officers in the Glenville Police Department; and

WHEREAS, Leann Serafini is currently a State University of New York Police Officer who holds the necessary qualifications mandated by the Schenectady County Civil Service Commission; and

WHEREAS, after an extensive background investigation, an interview was conducted with Ms. Serafini on November 12, 2021 by the Chief of Police and Lieutenant, each of whom now recommend the appointment of Ms. Serafini to fill the second of the two new police officer positions; and

WHEREAS, Ms. Serafini was approved as a lateral transfer from the State University of New York Police Department by the Schenectady County Civil Service Commission on February 15, 2022; and

WHEREAS, the compensation for said position will be set forth in the current collective bargaining agreement between the Glenville PBA and the Town for a first-year officer;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board does hereby approve the appointment of Leean Serafini of Burnt Hills NY, to the position of Police Officer in the Glenville Police Department effective February 17, 2022; and

BE IT FURTHER RESOLVED, that in recognition of her prior law enforcement experience, the Town will use July 13, 2021 as the effective date for the purposes of calculating longevity payments, leave time accruals, and insurance benefits; and

BE IT STILL FURTHER RESOLVED, that the Town Clerk, on behalf of this Town Board, be and she hereby is authorized and directed to notify said officer of the aforementioned appointment.

Ayes:
Noes:
Absent:
Abstentions:

Motion Carried/Defeated

Town Board decision on February 16, 2022.

Sponsored by: Christopher Koetzle, Town Supervisor
Submitted by: Thomas Coppola, Highway Superintendent

RESOLUTION NO. 9

Moved by:
Seconded by:

WHEREAS, a retirement in the Glenville Highway Department has resulted in multiple instances of employees working out-of-class to provide the normal services of the department; and

WHEREAS, Highway Department employees have performed admirably when asked to perform out-of-class duties; and

WHEREAS, the Highway Superintendent recommends that current employees be promoted to backfill the open positions created through the retirement; and

WHEREAS, each of the employees recommended for promotion meets the minimum requirements, including possession of the appropriate class of New York State drivers' license, required for the position to which they are recommended for promotion;

WHEREAS, the Town Comptroller advises that the recommended promotions can be absorbed within existing 2022 budgeted appropriations;

NOW THEREFORE, BE IT RESOLVED that the Town Board of the Town of Glenville hereby makes the following provisional appointments in the Glenville Highway Department effective February 28, 2022 at the hourly pay and benefits for such titles as determined by the agreement between the Town and the CSEA Highway Employees Unit:

- Joseph LaBrie to the position of MEO-Heavy
- Joseph Mitchell to the position of MEO-Medium
- Jonathan Wanmer to the position of MEO-Light

Ayes:
Noes:
Absent:
Abstention:

Motion Carried/Defeated

Town Board decision on February 16, 2022.

Sponsored by: Gina Wierzbowski, Deputy Supervisor
Submitted by: Stephen V. Janik, Police Chief

RESOLUTION NO. 10

Moved by:
Seconded by:

WHEREAS, the Glenville Police Department requires sufficient communications equipment to perform its public safety duties; and

WHEREAS, the Chief of Police has advised the Glenville Town Board that the department is in need of two additional vehicle radio units; and

WHEREAS, the 2022 Adopted Budget includes funding for the requested radio equipment; and

NOW THEREFORE, BE IT RESOLVED that the Town Board of the Town of Glenville hereby authorizes the Chief of Police to purchase two RhinoTab M2 UltraRugged Portable MDT units with all necessary ancillary equipment from Advanced Electronic Design, Inc., a sole source vendor, at a total cost of \$12,072; and

BE IT FURTHER RESOLVED, that the Town Board of the Town of Glenville also authorizes the Chief of Police to purchase two APX 4500 P25 mobile radios with all necessary ancillary equipment from Motorola Solutions under New York State Contract #PT68722, at a total cost of \$8,682, with the expense for both purchases charged to account BB-000-3120-2000 as included in the 2022 Adopted Budget.

Ayes:
Noes:
Absent:
Abstentions:

Motion Carried/Defeated

Town Board decision on February 16, 2022.

Sponsored by: Christopher A. Koetzle, Town Supervisor
Submitted by: Earl T. Redding, Attorney for the Town

RESOLUTION NO. 11

Moved by:
Seconded by:

WHEREAS, the Town of Glenville and the Glenville Police Benevolent Association ("PBA") are parties to a collective bargaining agreement for a term which expired December 31, 2021; and

WHEREAS, the Town and the PBA have been negotiating the terms of a successor agreement prior to and since the agreement's expiration; and

WHEREAS, the negotiating teams for both have reached a tentative agreement for a new term from January 1, 2022 through December 31, 2024, the terms of which are contained in the attached Memorandum of Agreement ("MOA"); and

WHEREAS, the Supervisor executed the MOA on February 8, 2022; and

WHEREAS, the Town Board has discussed the MOA with the negotiating team;
and

WHEREAS, the PBA membership has ratified the proposed MOA; and

NOW THEREFORE, BE IT RESOLVED that the Town Board of the Town of Glenville hereby approves the MOA reached by the negotiating teams, signed by the Supervisor and ratified by the PBA, that provides for the terms and conditions of employment for PBA members for a term commencing January 1, 2022 through December 31, 2024.

Ayes:
Noes:
Absent:
Abstention:

Motion Carried / Defeated

Town Board decision on February 16, 2022

Sponsored by: Jim Martin, Town Councilman
Submitted by: Melissa Cherubino, Community Development Director

RESOLUTION NO. 12

Moved by:
Seconded by:

WHEREAS, an applicant requests a zoning change as permitted under the Town of Glenville zoning code section 270-24.1 sub-section C, "Storage Overlay District" for construction of a storage facility at 4232 Amsterdam Road; and

WHEREAS, the proposed storage overlay district will include the construction of seven self-storage buildings ranging in size from approximately 2,000 sq. ft. to 10,800 sq. ft.; and

WHEREAS, consideration of the storage overlay constituted an Unlisted Action under the State Environmental Quality Review Act (SEQRA) which requires a coordinated review; and

WHEREAS, lead agency letters were sent to NYS Department of Transportation, Schenectady County Planning, and the various boards reviewing the proposal for the Town of Glenville; and

WHEREAS, the Planning Zoning Commission (PZC) reviewed the submitted materials at its February 14th meeting and made a recommendation for the Town Board to approve the proposal; and

WHEREAS, a duly scheduled public hearing must be held in order to amend the existing code and create the storage overlay district by Local Law;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Glenville will meet at the Glenville Municipal Center, 18 Glenridge Road, Glenville, New York on Wednesday, March 2, 2022 at 7:00 P.M., or as soon thereafter as possible, at which time it will hear all persons interested in the proposed zoning change for addition to the zoning map of the Town of Glenville; 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 and to provide same to the Village of Scotia and the City of Schenectady; and

BE IT STILL FURTHER RESOLVED that the Town Clerk is directed to place the public hearing on the March 2, 2022 Town Board meeting agenda

Noes:
Absent:
Abstentions:

Motion Carried/Defeated

Town Board Decision on February 16, 2022

Sponsored by: Christopher A. Koetzle, Town Supervisor
Submitted by: Earl T. Redding, Attorney for the Town

RESOLUTION NO. 13

Moved by:
Seconded by:

WHEREAS, the Town of Glenville is proposing a Local Law (a copy of which is attached) that amends Article IX, "Sign Requirements", for the Code of the Town of Glenville; and

WHEREAS, the intent of this section is to communicate to property owners the requirements for sign installations in the Glenville Business & Technology Park; and

WHEREAS, the Glenville Town Board has determined that this code amendment constitutes a "Type II Action" in accordance with 6 NYCRR Part 617.5(c)(37) of the State Environmental Quality Review Act in that it involves a clarification of an existing section of the zoning code; and

WHEREAS, New York State Town Law and the Code of the Town of Glenville, require that the Town Board hold a public hearing before a code amendment or a local law may be adopted; and

WHEREAS, the Town Board of the Town of Glenville held a public hearing with respect to the zoning code amendment and adoption of said Local Law on Wednesday, February 16, 2022 at 7:00 PM, at which time and place were heard all persons interested in the amendment of Article IX, "Sign Requirements", for the Code of the Town of Glenville,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Glenville met at the Glenville Municipal Center, 18 Glenridge Road, Glenville, New York on Wednesday, February 16, 2022 at 7:00 P.M., that the proposed Local Law amending Article IX, "Sign Requirements", of the Code of the Town of Glenville be and hereby is adopted; and

BE IT FURTHER RESOLVED, that Local Law #XX of 2022 shall take effect twenty (20) days after filing with the Secretary of State of the State of New York.

Ayes:
Noes:
Absents:
Abstentions:

Motion Carried/Defeated

Town Board Decision on February 16, 2022

Legal Notice of Estoppel

NOTICE IS HEREBY GIVEN that the resolution which is published herewith, has been adopted by the Town Board of the Town of Glenville, New York, on February 16, 2022, and the validity of the obligations authorized by such resolution may be hereafter contested only if such obligations were authorized for an object or purpose for which said Town is not authorized to expend money, or if the provisions of law which should have been complied with as of the date of publication of this notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of publication of this notice, or such obligations were authorized in violation of the provisions of the Constitution.

Dated: Glenville, New York
February 16, 2022
Julie Davenport, Town Clerk

RESOLUTION NO. 14

Dated: Glenville, New York, February 16, 2022

BOND RESOLUTION OF THE TOWN OF GLENVILLE, NEW YORK (THE "TOWN"), DATED FEBRUARY 16, 2022, AUTHORIZING: THE PURCHASE OF NEW TRUCKS FOR THE TOWN HIGHWAY DEPARTMENT, ESTIMATING THE AGGREGATE COST THEREOF TO BE \$590,000.00, APPROPRIATING SAID AMOUNT THEREFOR AND AUTHORIZING THE ISSUANCE OF \$590,000.00 BONDS OF THE TOWN TO FINANCE SAID COST.

Resolution by _____ Seconded by _____

WHEREAS, the Town Board of the Town of Glenville (the "Board"), in response to a stated need for new equipment for the Town Highway Department, included in its adopted 2022 Town budget the acquisition of one (1) 10-wheel dump truck (the "10-Wheel Truck") at the anticipated cost of \$350,000.00 and one (1) 6-wheel dump truck (the "6-Wheel Truck") at the anticipated cost of \$240,000.00; and

WHEREAS, the Board of the Town now seeks to authorize the issuance of serial bonds of the Town (the "Bonds") in order to finance the cost of the 10-Wheel Truck and the 6-Wheel Truck;

NOW, THEREFORE, IT IS HEREBY RESOLVED, by the Board as follows:

SECTION 1. Pursuant to Sections 31.00 and 32.00 of the Local Finance Law, constituting Chapter 33-A of the Consolidated Laws of the State of New York (the "Law"), the Town hereby authorizes the issuance of up to \$590,000.00 serial bonds or bond anticipation notes

to finance the acquisition of the 10-Wheel Truck and the 6-Wheel Truck, the maximum cost thereof being hereby estimated to be \$590,000.00, appropriating said amount therefor.

SECTION 2. It is hereby determined that the period of probable usefulness with respect to the purposes of the Bonds is fifteen (15) years, pursuant to Sections 11(a)(28) of the Law, for the 10-Wheeler Truck and 6-Wheeler Truck;

SECTION 3. The plan of financing includes the issuance of \$590,000.00 serial bonds and the levy of a tax upon all of the real property in the Town to pay the principal of and interest on the Bonds as the same shall become due and owing.

SECTION 4. The temporary use of available funds of the Town, not immediately required for the purpose or purposes for which the same were borrowed, raised or otherwise created, is hereby authorized to be expended pursuant to Section 165.10 of the Local Finance Law for the specific objects or purposes described in Section 1 of this resolution. If such temporary funds are used for any expenditure authorized in this resolution, the Town intends to reimburse such funds with the proceeds of the tax-exempt borrowing authorized and identified pursuant to Section 1 above.

SECTION 5. The proposed average maturity date of the Bonds authorized pursuant to this resolution is not expected to exceed five (5) years.

SECTION 6. The serial bonds issued to finance the cost of each object or purpose described in Section 1 above shall in no event mature no later than the date of the expiration of the period of probable usefulness for each such object or purpose.

SECTION 7. The Town hereby covenants and agrees with the holders from time to time of the Bonds of the Town issued pursuant to this resolution, and any bond anticipation notes of the Town issued in anticipation of the sale of said Bonds, that the Town will duly and faithfully observe and comply with all provisions of the United States Internal Revenue Code of 1986, as amended (the "Code"), and any proposed or final regulations of the Internal Revenue Service issued pursuant thereto (the "Regulations") unless, in the opinion of bond counsel to the Town, such compliance is not required by the Code and Regulations to maintain the exemption of interest on said obligations from Federal income taxation.

SECTION 8. Each of the Bonds authorized by this resolution and any bond anticipation notes issued in anticipation of said Bonds shall contain the recital of validity prescribed by Section 52.00 of the Law and said Bonds and any notes issued in anticipation of said Bonds shall be general obligations of the Town, payable as to both principal and interest by a general tax upon all the real property within the Town without legal or constitutional limitation as to rate or amount. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal of and interest on said Bonds and any bond anticipation notes issued in anticipation of said Bonds and provision shall be made annually in the budget of the Town by appropriation for (a) the amortization and redemption of the Bonds and notes to mature in such year, and (b) the payment of interest to be due and payable in such year.

SECTION 9. Subject to the provisions of this Bond Resolution and the Law, pursuant to the provisions of Section 30.00 relative to the authorization of the issuance of serial bonds and bond anticipation notes, or the renewals of said obligations and of Section 50.00 and Section 60.00 of the Law, the powers and duties of the Board relative to authorizing serial Bonds and bond anticipation notes and prescribing the terms, form and content as to sale and issuance of the Bonds herein authorized and of any bond anticipation notes issued in anticipation of said Bonds, and the renewals of said notes, are hereby delegated to the Supervisor of the Town, the chief fiscal officer of the Town. Pursuant to the provisions of paragraph a of Section 56.00 of the Local Finance Law, the power to determine whether to issue bonds and bond anticipation notes having substantially level or declining annual debt service, as provided in paragraph d of Section 21.00 of the Local Finance Law, is hereby delegated to the Supervisor of the Town, the chief fiscal officer of said Town. In addition to the delegation of powers described above, the powers and duties of advertising such bonds for sale, conducting the sale and awarding the bonds, are hereby delegated to the Town Supervisor, who shall advertise such bonds for sale, conduct the sale and award the bonds in such manner as he shall deem best for the interests of the Town; provided, however, that in the exercise of these delegated powers, he shall comply fully with the provisions of the Local Finance Law and any other order or rule of the State Comptroller applicable to the sale of municipal bonds.

SECTION 10. All costs and expenses in connection with the acquisition and development of the objects and purposes set forth in Section 1 above, and the financing thereof by the sale of Bonds, including but not limited to, the fees and expenses of bond counsel, financial advisors, underwriters, feasibility consultants, counsel for the Town and other professionals, shall be paid to the extent permitted by law from the proceeds of the sale of such Bonds.

SECTION 11. The validity of the Bonds authorized by this bond resolution and of any notes issued in anticipation of said Bonds may be contested only if:

- (a) Such obligations are authorized for any object or purpose for which the Town is not authorized to expend money; or
- (b) The provisions of law which should be complied with at the date of the publication of such resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication; or
- (c) Such obligations are authorized in violation of the provisions of the constitution.

SECTION 12. This resolution shall be published in full in the designated official newspapers of the Town for such purpose, together with a notice of the Town Clerk in substantially the form provided in Section 81.00 of the Law.

SECTION 13. This bond resolution shall take effect immediately upon its adoption by the required votes of the Town Board.

Ayes:

Noes:

Absent:

Abstention:

Motion ___ Carried / ___ Defeated

Town Board Resolution on February 16, 2022

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

RESOLUTION NO. 15

Moved by:
Seconded by:

BE IT RESOLVED, that the minutes of the Regular Town Board meeting held on February 2, 2022 are hereby approved and accepted as entered.

Ayes:
Noes:
Absent:
Abstentions:

Motion Carried/Defeated

Town Board decision on February 16, 2022

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 **Monthly Departmental Reports** for January, 2022 as received from the following:

Assessors Department
Justice Department
Receiver of Taxes
Town Clerk's Office
Police Department

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

Ayes:
Noes:
Absent:
Abstentions:

Motion Carried/Defeated

Town Board decision on February 16, 2022

Sponsored by: Christopher A. Koetzle, Town Supervisor
Submitted by: Vicki Hillis, Director of Human Services and Parks

RESOLUTION NO. 17

Moved by:
Seconded by:

WHEREAS, the Town of Glenville seeks to promote the general public health, safety and welfare by regulating the operation of outdoor public exhibitions and entertainments, theaters and amusement parks or centers within the Town of Glenville, Schenectady, New York; and

WHEREAS, Glenville Town Code Chapter 195-16 allows for concessions in the parks only in the event of permission from the Town Board; and

WHEREAS, entities must provide a permit application, certificate of insurance and, if applicable, a permit is issued from the Schenectady County Public Health Services. i.e. Environmental Health Department to obtain final approval to vend on town property.

WHEREAS, the Director of Parks has advised the Glenville Town Board that numerous upcoming park events require authorization of vendors related to either nonprofit organization rentals or sports league activities;

NOW THEREFORE, BE IT RESOLVED that the Town Board of the Town of Glenville hereby authorizes the Director of Parks to approve vendor applications for the 2022 season so long as all other regulatory requirements have been met.

Ayes:
Noes:
Absent:
Abstentions:

Motion Carried/Defeated

Town Board decision on February 16, 2022