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AGENDA
TOWN BOARD MEETING
TOWN OF GLENVILLE
18 GLENRIDGE ROAD
February 21, 2024
7:00 P.M.
www.townofglenville.org

Supervisor:
Christopher A. Koetzle
Council Members
Robert J. Kirkham Jr.
Deputy Supervisor
Sid Ramotar
Brendan Gillooley
Michael Aragosa

1. Invocation
2. Pledge of Allegiance to the Flag.
3. Roll Call
4. Town Council Reports
5. Public Hearing at 7:00 PM or as soon thereafter to hear all persons interested in the proposed Local Law titled "Amendment to Glenville Town Code to Add Chapter 163 Governing Shopping Carts Owned or Controlled by Retail Establishments or other Businesses' to the Town Code of the Town of Glenville.
6. Public Hearing at 7:00 PM or as soon thereafter to hear all persons interested in the proposed extension to Sewer District No. 9 for parcel # 23.9-3-4.3.
7. Presentation from LaBella Engineering firm for the construction of the Van Buren Pedestrian Path.
8. Privilege of the Floor
9. Supervisors Comments
10. Resolution adopting Local Law 2-2024 Amending the Glenville Town Code to Add Chapter 163 Governing Shopping Carts Owned or Controlled by Retail Establishments or other Businesses", to the Town Code of the Town of Glenville.
11. Resolution scheduling a Public Hearing to be held by the Town of Glenville on March 6, 2024 at 7:00 PM at the Glenville Municipal Center, 18 Glenridge Road, Glenville, New York to hear all persons interested in the proposed Local Law 3-2024 titled "2024 Extension of the 2022 Temporary Moratorium Law on Large Scale Solar Energy Systems", to the Town Code of the Town of Glenville.
12. Resolution approving the petition to establish Extension 29 to Sewer District No. 9 for parcel # 23.9-3-4.3.
13. Resolution appointing members to the Park Advisory Committee.
14. Resolution approving the minutes of the Regular Town Board Meeting held on February 7, 2024.
15. Resolution approving the Monthly Reports for January 2023.
16. New Business

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

RESOLUTION NO. 10

Moved by:
Seconded by:

WHEREAS, The Town Board of the Town of Glenville finds that abandoned shopping carts in the Town create hazards to the health and safety of the public, interfere with pedestrian and vehicular traffic, and create a public nuisance; and

WHEREAS, to help alleviate these conditions, the Town Board has proposed Local Law No. 2 of 2024, titled "Amendment to Glenville Town Code to Add Chapter 163 Governing Shopping Carts Owned or Controlled by Retail Establishments or Other Business" intended to ensure that the owners of shopping carts that are used retail establishments or other businesses take measures to prevent the removal of the shopping carts from the shopping cart owner's premises, and to facilitate the retrieval of abandoned shopping carts in a manner consistent with state law; and

WHEREAS, proposed Local Law No. 2 of 2024 has been made available for public inspection; and

WHEREAS, the Town Board published notice of a public hearing in the Daily Gazette on February 11, 2024, and held a public hearing pursuant to the notice on February 21, 2024 at 7:00 p.m. at the Town of Glenville Municipal Center, 18 Glenridge Road, Glenville, New York 12302, and accepted comments and input from the public; and

NOW, THEREFORE BE IT RESOLVED that, after due deliberation, Local Law No. 2 of 2024 is hereby adopted.

Ayes:
Noes:
Absent:
Abstention:

Motion Carried/Defeated

Town Board decision on February 21, 2024

Sponsored by: Christopher A. Koetzle, Townen

Submitted by: Jeffrey A. Siegel, Attorney for the Town

RESOLUTION NO. 11

Moved by:

Seconded by:

WHEREAS, Local Law No. 3 of 2022 enacted a temporary, two (2) year moratorium on Large Scale Solar Installations within the Solar Energy Farm Overlay District, all as more particularly set forth in Local Law No. 3 of 2022; and

WHEREAS, the temporary moratorium expires on June 8, 2024: and

WHEREAS, because there have been no Large-Scale Solar Installations in the Town, the Town desires more time to conduct the studies contemplated by the temporary moratorium; and

WHEREAS, the Town proposes that the temporary moratorium be extended to December 8, 2025, and in connection therewith, the Town has prepared Local Law No. 3 of 2024 titled "2024 Extension of the 2022 Temporary Moratorium Law on Large Scale Solar Energy Systems"; and

WHEREAS, the Town is required to hold a public hearing on the proposed adoption of Local Law 3 of 2024;

NOW, THEREFORE BE IT RESOLVED that the Town Board of the Town of Glenville will hold a public hearing on the adoption of proposed Local Law No. 3 of 2024 on March 6, 2024 at 7:00 PM or as soon thereafter as the matter can be heard, at the Glenville Municipal Center at 18 Glenridge Road, Glenville, New York to hear all persons interested in Local Law No.3 of 2024; and

BE IT FURTHER RESOLVED that a copy of this order certified by the Town Clerk shall be published at least once in the official newspaper of the Town and that said publication be not less than ten nor more than twenty days before the March 6, 2024 public hearing date.

Ayes:

Noes:

Absent:

Abstention:

Motion Carried/Defeated

Town Board decision on February 21, 2024

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

RESOLUTION NO. 12

Moved by:
Seconded by:

WHEREAS, pursuant to section 191 of the Town Law, the Town Board of the Town of Glenville (herein called the "Town Board" and "Town," respectively), in the County of Schenectady, New York received a written petition dated January 12, 2024, requesting the extension of Sewer District No. 9 (herein called "District"); and

WHEREAS, the petition was signed by the owner of at least one-half (1/2) of the assessed valuation of all taxable real property situate in the proposed extension to the District and including the resident owners of at least one-half (1/2) of the assessed valuation of such taxable real property situate in the proposed extension to the District owned by resident owners, all as shown upon the latest completed assessment roll of said Town; and

WHEREAS, a map, plan and report for the proposed extension of the District and the construction of a Sewer system therein prepared by ABD ENGINEERING AND SURVEYORS, LLP with a date of January 19, 2024 has been filed in the office of the Town Clerk of the Town for public inspection; and

WHEREAS, pursuant to the Order duly adopted on February 7, 2023, 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 February 21, 2024, 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 February 21, 2024, 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 included within the proposed extension to the District 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. 29 to Sewer District 9 in the Town and shall include the property commonly known as an undesignated address on Maple Avenue (S/B/L # 23.9-3-4.3).

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.

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

Ayes:

Noes:

Absent:

Abstention:

Motion Carried/Defeated

Town Board Decision on February 21, 2024

Sponsored by: Christopher A. Koetzle, Town Supervisor
Submitted by: Jeffrey A. Speigel, Attorney to the Town

RESOLUTION NO. 13

Moved by:

Seconded by:

WHEREAS, by Local Law No. 4-2012, a Local Law Regulating the use of the Return Park and Drainage District Property, the Town Board of the Town of Glenville created a park and drainage district in the residential real estate development known as The Return; and

WHEREAS, on October 21, 2015, the Town Board created a resident advisory committee, known as "The Return Park and Drainage District Committee" as set forth in Resolution No. 196-2015; and

WHEREAS, the committee members' terms have expired and the residents recommend reappointing those members for a two (2) year term, to expire on December 31, 2025; and

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Glenville hereby reappoints Richard Usas, 1 Miracle Lane, Glenville; Donald Sweet, 29 Joyous Lane, Glenville; Jeffrey LeGere, 18 Joyous Lane, Glenville; Carlos Teixeira, 14 Praise Lane, Glenville; and Jenny Lippmann, 21 Praise Lane, Glenville as members of The Return Park Advisory Committee, each serving a term expiring December 31, 2025.

Ayes:

Noes:

Absent:

Abstentions:

Motion Carried/Defeated

Town Board decision on February 21, 2024

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

RESOLUTION NO. 14

Moved by:
Seconded by:

BE IT RESOLVED, that the minutes of the Regular Town Board meeting held on February 7, 2024 are hereby approved and accepted as entered.

Ayes:
Noes:
Absent:
Abstentions:

Motion Carried/Defeated

Town Board decision on February 21, 2024

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 **Monthly Departmental Reports** for January, 2024 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 21, 2024