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AGENDA
TOWN BOARD MEETING
TOWN OF GLENVILLE
18 GLENRIDGE ROAD
November 3, 2021
7:00 P.M.
www.townofglenville.org

Supervisor:

Christopher A. Koetzle

Council Members

Gina M. Wierzbowski,

Deputy Supervisor

Michael Aragosa

Michael R. 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 P.M., or as soon thereafter as possible, at which time it will hear all persons interested in the proposed 2022 Preliminary Budget for November 3, 2021 at 7:00 PM.
6. A Public Hearing at 7:00 P.M., or as soon thereafter as possible, at which time it will hear all persons interested in the Consideration of Code change prohibiting smoking on municipal property.
7. A Public Hearing at 7:00 P.M., or as soon thereafter as possible, at which time it will hear all persons interested in the discussing options related to the new cannabis opt-out law.
8. Privilege of the Floor
9. Supervisor's Comments to the Board
10. Presentation on Freeman's Bridge Road multi-use path and the Mohawk Hudson Bike Trail.
11. Resolution scheduling a Public Hearing for Wednesday, November 17, 2021 at 7:00 PM or as soon thereafter as possible, at the Glenville Municipal Center, 18 Glenridge Road, Glenville NY with respect to the proposed imposition of liens on the parcels of real property listed on Schedule "A" (attached) for cutting of Grass, Brush and Weeds and administrative fees pursuant to Chapter 99 of the Code of the Town of Glenville.
12. Resolution scheduling a Public Hearing for Wednesday, November 17, 2021 at 7:00 P.M., or as soon thereafter as possible, at which time it will hear all persons interested in the proposed amendments of Chapter 270-9F, "Accessory Uses" of the Code of the Town of Glenville.
13. Resolution scheduling a Public Hearing for Wednesday, November 17, 2021 at 7:00 P.M., or as soon thereafter as possible, at which time it will hear all persons interested in the proposed amendments of Chapter 232, "Garbage and Refuse" of the Code of the Town of Glenville.
14. Resolution scheduling a public hearing on November 17, 2021 at 7:00 PM at the Glenville Municipal Center, 18 Glenridge Road, Glenville, New York to hear all persons interested

regarding the unsafe property at 513 Elliott Street.

15. Resolution approving the Preliminary Capital Expense Budget for Water District No. 11 and Extensions Nos. 10 through 51 for the year 2022.
16. Resolution approving the Preliminary Capital Expense Budget for Sewer District No. 9 and Extension No. 7 for the year 2022.
17. Resolution approving the Preliminary Capital Expense Budget for Sewer District No. 1 for the year 2022.
18. Resolution approving the Preliminary Capital Expense Budget for Sewer District No. 2 for the year 2022.
19. Resolution adopting the Assessment Roll for the Water District No. 11 of the Town of Glenville and Extension Nos. 10 through 51 for the year 2022.
20. Resolution adopting the Assessment Roll for Sewer District No. 9 and Extension No. 7 for the year 2022.
21. Resolution adopting the Assessment Roll for Sewer District No. 1 for the year 2022.
22. Resolution adopting the Assessment Roll for Sewer District No. 2 for the year 2022.
23. Resolution correcting a reporting error in the Water District #11 water use fee roll and accepting the corrected roll.
24. Resolution adopting a Local Law to add a new chapter XXX, "Town Properties" regarding Smoking on Town properties to the Code of the Town of Glenville.
25. Resolution adopting a Local Law to add a new chapter XXX, "Cannabis Management" to the Code of the Town of Glenville.
26. Resolution authorizing the Revitalization and Economic Development Investment (REDI) grant to support small business owners.
27. Resolution Supporting Greater Protections of Children from Convicted Sex Offenders.
28. Resolution approving the minutes of the Regular Town Board meeting held on October 6, 2021.
29. New Business

Sponsored by: Gina Wierzbowski, Deputy Supervisor
Submitted by: Thomas Coppola, Commissioner of Public Works

RESOLUTION NO. 11-2021

Moved by:
Seconded by:

WHEREAS, by Local Law No. 6-2013, the Town Board of the Town of Glenville adopted Chapter 99, "Brush, Grass and Weeds" of the Town Code of the Town of Glenville; and

WHEREAS, the Commissioner of Public Works has submitted a report regarding enforcement of Chapter 99 which includes as Schedule "A" a list of properties found in violation of Chapter 99 where property owners failed to correct such violations, despite being notified in accordance with said Chapter to correct the violation within the time provided, causing the Commissioner to cut and remove brush, grass and weeds from the listed premises at town expense and bill the property owners; and

WHEREAS, the property owners listed on Schedule "A" have failed to pay the charges and administrative fees billed as provided in Chapter 99 of the Code; and

WHEREAS, the Town's legal remedy to enforce the non-payment is to establish a lien on the parcels of real property in accordance with Town Law section 64 (5-a); and

WHEREAS, the Town Board wishes to hold a public hearing with respect to the proposed imposition of liens on the parcels of real property listed on Schedule "A" attached hereto;

NOW, THEREFORE, BE IT RESOLVED, that a public hearing be held by the Town Board of the Town of Glenville with respect to the proposed imposition of liens on the parcels of real property listed on Schedule "A" (attached) at 7:00 PM on November 17, 2021, at the Glenville Municipal Center, 18 Glenridge Road, Glenville, New York, and it is further

RESOLVED that the Town Clerk is hereby authorized and directed to cause public notice of said hearing to be given as provided by law.

Ayes:
Noes:
Absent:
Abstentions:

Motion Carried/Defeated

Town Board Decision on November 3, 2021.

SCHEDULE A

A list of properties found in violation of the Code of the Town of Glenville, Chapter 99 "Brush, Grass and Weeds", whereby property owners failed to correct such violations, despite being notified in accordance with said Chapter to correct the violation within the time provided, causing the Commissioner of Public Works to cut and remove brush, grass and weeds from the listed premises at town expense and bill the property owners.

| <u>Tax Parcel ID</u> | <u>Address</u> | <u>Property Owner</u> | <u>Amount</u> |
|----------------------|-----------------------|------------------------------|---------------|
| 12.2-2-1.1 | 7152 Amsterdam Rd | Hoffman Hill Holdings, LLC | \$600.00 |
| 14.-2-25 | 759 Sacandaga Rd | Lorie J Robinson | \$400.00 |
| 15.12-6-35 | 484 Saratoga Rd | Sierra Brianna Budhraj | \$350.00 |
| 15.3-4-11 | 44 Onderdonk Rd | Fred L Mowers III | \$1,700.00 |
| 15.7-4-2 | 97 Charlton Rd | Carole A Tomlinson | \$300.00 |
| 15.8-4-11 | 572 Saratoga Rd | Beverly J Emerick | \$400.00 |
| 15.8-6-25.2 | 546 Saratoga Rd | Elizabeth Sisk | \$400.00 |
| 16.5-2-39 | 208 Hetcheltown Rd | David M Lovelady | \$500.00 |
| 22.11-1-19 | 12 Mayfair Dr | Anthony M Mannato | \$400.00 |
| 22.14-5-27 | 254 Swaggertown Rd | Gaetano Orlando | \$400.00 |
| 23.13-2-22 | 108 Governor Dr | Rafael Flores | \$350.00 |
| 23.-2-5 | 161 Maple Ave | Edward & Kimberly Rosenberg | \$300.00 |
| 23.9-2-13 | 183 Maple Ave | Samuel Properties LLC | \$400.00 |
| 23.9-3-1 | 188 Maple Ave | Orlando & Barbara Cruz | \$306.65 |
| 29.-4-1 | 2157 Amsterdam Rd | Jason Marcello | \$350.00 |
| 30.14-2-14 | 99 Freemans Bridge Rd | Youseff H & Salem H Tleiji | \$500.00 |
| 30.6-2-55 | 62 Swaggertown Rd | Northern Construction Co | \$400.00 |
| 38.11-4-24 | 613 South Holmes St | Marjorie Crispino | \$400.00 |
| 38.11-5-14 | 802 South Holmes St | Gertrude Catherine Lindstrom | \$400.00 |
| 38.7-2-24 | 816 Sanders Ave | David Savage | \$750.00 |

Sponsored by: Jim Martin, Town Councilman
Submitted by: Earl Redding, Attorney for the Town

RESOLUTION NO. 12-2021

Moved by:
Seconded by:

WHEREAS, a Member of the Town Board of the Town of Glenville is introducing a Local Law to amend Chapter 270-9F, "Accessory Uses", with accompanying amendments to the Code of the Town of Glenville (a copy of which is attached hereto); and

WHEREAS, this proposed Code amendment is the product of much study and discussion by the Town of Glenville Code Revision Commission; and

WHEREAS, the Local Law clarifies the existing regulations, and constitutes a Type II Action under the State Environmental Quality Review Act (SEQRA) which does not require further review; and

WHEREAS, a duly scheduled public hearing must be held in order to amend the existing code 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, November 17, 2021 at 7:00 P.M., or as soon thereafter as possible, at which time it will hear all persons interested in the proposed amendments of Chapter 270-9F, "Accessory Uses" of the Code 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 November 17, 2021 Town Board meeting agenda

Ayes:
Noes:
Absent:
Abstentions:

Motion Carried/Defeated

Town Board Decision on November 3, 2021

§ 270-9. Accessory uses and structures.

A. Permitted accessory uses and structures in residential zoning districts:

- (1) Private garages not attached to the dwelling. [**Amended 9-3-2008 by L.L. No. 4-2008**]
- (2) Carports.
- (3) Private swimming pools.
- (4) Decks and patios.
- (5) Tennis courts, basketball courts, volleyball courts, shuffleboard courts, horseshoe pits, and similar outdoor recreation facilities for use by the residents and their guests, but not for commercial gain.
- (6) Storage sheds and similar outbuildings for the storage of lawn maintenance equipment, tools, bicycles, toys, swimming pool equipment and supplies, etc.
- (7) Receive-only antennas.
- (8) Doghouses and similar shelters for household pets.
- (9) Outdoor fireplaces and barbecue pits.
- (10) Heat pumps, air-conditioning units, and similar climate-control and utility devices typically located outside of the house.
- (11) Rolloffs and other temporary dumpsters designed to hold discarded building materials, provided the roll-off or dumpster does not remain on the property for more than 31 days in any six-month period.
- (12) Barns, silos, stables, coops, crop bins, milk houses, and similar structures on properties used for farming purposes.
- (13) Portable storage containers are permitted on properties with a principal dwelling under the following conditions: [**Added 8-18-2010 by L.L. No. 5-2010**]
 - (a) The property owner must obtain a permit from the Building Inspector and pay the applicable fee therefor. Such permit shall be issued for a period of 30 days, and in no event shall permits be granted for more than 90 days in any twelve-month period.
 - (b) Only one portable storage unit may be permitted on a residential lot.
 - (c) Portable storage units must be placed a minimum of 10 feet from any front, side and/or rear property line. Such units must be located so as to minimize visibility from both public streets and other residential land uses. Units may not be placed in public or private roads or rights-of-way. If placed in a private driveway, the container must be at the furthest

accessible point from the street without blocking any building or accessory structure doors, entrances, or exits.

B. Permitted accessory uses and structures in nonresidential zoning districts:

- (1) Private and public garages.
- (2) Carports.
- (3) Swimming pools.
- (4) Decks and patios.
- (5) Tennis courts, basketball courts, volleyball courts, shuffleboard courts, horseshoe pits, ball fields, outdoor fireplaces, barbecue pits, and similar outdoor recreation facilities.
- (6) Storage buildings, sheds, and similar outbuildings that house equipment, vehicles, and materials for the tenant(s) of the principal structure.
- (7) Receive-only antennas.
- (8) Outhouses and portable bathrooms in association with temporary events of a duration of not more than 14 days.
- (9) Utility structures and heating and air-conditioning units.
- (10) Dumpsters.
- (11) Barns, silos, stables, coops, crop bins, milk houses, and similar structures on properties used for farming purposes.
- (12) Portable storage containers are permitted on nonresidential property containing a principal commercial building under the following conditions: **[Added 8-18-2010 by L.L. No. 5-2010]**
 - (a) The property owner must obtain a permit from the Building Inspector and pay the applicable fee therefor. Such permit shall be issued for a period of 30 days, and in no event shall permits be granted for more than 90 days in any twelve-month period.
 - (b) The maximum number of containers that may be permitted on a nonresidential property will be determined by the Building Inspector after review of the size of the property, the proximity to residential properties, the owner's needs, the anticipated length of time the containers will be utilized and other appropriate factors. In no event shall any one property be permitted more than five portable storage units within any twelve-month period.
 - (c) Portable storage units must be placed a minimum of 10 feet from any front, side and/or rear property line. Such units must be located so as to minimize visibility from both public streets and other residential land

uses. Units may not be placed in public or private roads or rights-of-way. If placed in a private driveway, the container must be at the furthest accessible point from the street without blocking any building or accessory structure doors, entrances, or exits. The units must be placed on paved surfaces unless prior approval from the Building Inspector is obtained.

- C. Location. No permitted accessory use or building shall be located in any front yard.
- D. Height. No accessory building or structure shall exceed 15 feet in height in a residential zoning district, unless the accessory structure is a roof-mounted receive-only antenna, or if the structure is used in association with a farm.
- E. Setback for swimming pools. All swimming pools and their associated equipment and structures (i.e., decks, pumps, etc.) must be located at least 10 feet from side and rear property lines. **[Amended 9-3-2008 by L.L. No. 4-2008]**
- F. Accessory structures in the RA Zoning District: **[Added 9-3-2008 by L.L. No. 4-2008¹]**
 - (1) All accessory structures less than 280 square feet in size must be located a minimum of five feet from side and rear property lines.
 - (2) All accessory structures 280 square feet up to 1,200 square feet in size must be located a minimum of 10 feet from side and rear property lines
 - (3) All accessory structures 1,200 square feet up to 2,400 square feet in size must be a minimum of 20 feet from side and rear property lines.
 - ~~(3)~~(4) No more than 20% of the lot may be covered by accessory structures.
- G. Accessory structures in all other residential zoning districts: **[Added 9-3-2008 by L.L. No. 4-2008]**
 - (1) All accessory structures less than 280 square feet in size must be located a minimum of five feet from the side and rear property lines.
 - (2) All accessory structures 280 square feet up to 576 square feet in size must be located a minimum of 10 feet from side and rear property lines.
 - (3) No more than 20% of the lot may be covered by accessory structures.
 - (4) The combined footprint of all accessory structures may not exceed 75% of the footprint of the dwelling.
- H. Setbacks for residential decks. All decks associated with a residential use must be located a minimum of 10 feet from side and rear property lines. **[Added 9-3-2008 by L.L. No. 4-2008]**
- I. Setbacks for all other permitted accessory structures/uses. With the exception of swimming pools and of those noted in Subsections F, G and H, all permitted

1. Editor's Note: This local law also repealed former Subsections F through J, regarding setbacks for residential accessory structures, setbacks for nonresidential accessory structures, footprint of residential accessory uses, lot coverage and location of garages, respectively, and provided for the redesignation of former Subsection K as Subsection J.

accessory structures/uses must be located a minimum of five feet from the side and rear property lines. **[Added 9-3-2008 by L.L. No. 4-2008]**

- J. Dumpsters. All dumpsters associated with a nonresidential use shall be screened from public streets, rights-of-way, and areas where pedestrians frequently travel. Said screening shall consist of a solid row of evergreens and/or solid fencing sufficient to hide the dumpster from public view. **[Amended 9-3-2008 by L.L. No. 4-2008]**

Sponsored by: Jim Martin, Town Councilman
Submitted by: Earl Redding, Attorney for the Town

RESOLUTION NO. 13-2021

Moved by:
Seconded by:

WHEREAS, a Member of the Town Board of the Town of Glenville is introducing a Local Law to amend Chapter 232, "Garbage and Refuse", with accompanying amendments to the Code of the Town of Glenville (a copy of which is attached hereto); and

WHEREAS, this proposed Code amendment is the product of much study and discussion by the Town of Glenville Code Revision Commission; and

WHEREAS, the Local Law clarifies the existing regulations, and constitutes a Type II Action under the State Environmental Quality Review Act (SEQRA) which does not require further review; and

WHEREAS, a duly scheduled public hearing must be held in order to amend the existing code 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, November 17, 2021 at 7:00 P.M., or as soon thereafter as possible, at which time it will hear all persons interested in the proposed amendments of Chapter 232, "Garbage and Refuse" of the Code 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 November 17, 2021 Town Board meeting agenda

Ayes:
Noes:
Absent:
Abstentions:

Motion Carried/Defeated

Town Board Decision on November 3, 2021

ARTICLE I
Garbage and Refuse
[Adopted 8-17-1971 by L.L. No. 4-1971 (Ch. 22 of the 1966 Code)]

§ 232-1. Title.

This article shall be known as "Chapter 232 of the Code of the Town of Glenville."

§ 232-2. Definitions.

As used in this article, the following terms shall have the meanings indicated:

CLEAN FILL — Consists solely of topsoil, earth, rock, gravel, quarry process or sand. "Topsoil" is the exposed layer of the earth's surface, and "earth" is the layer of soil immediately beneath the topsoil and above rock. "Rock" excludes boulders, boulders being detached and rounded or worn pieces of rock, the greatest side of which is no less than six inches. All other materials are excluded. Excluded materials include, but are not limited to, muck, peat, timber, debris, stumps and roots of trees, demolished structures, construction or any other refuse; provided, however, that said excluded items shall not have been reprocessed so as to conform with the definition of "clean fill" herein provided. "Muck" is soft silt or clay, very high in organic content, which is usually found in swampy areas. "Peat" is a soil composed principally of partially decomposed vegetable matter.[Added 6-21-1989 by L.L. No. 2-1989]

GARBAGE — Includes waste food, dead animals or parts thereof and/or any other matter which shall be capable of fermentation or decay.

PERSON — Includes an individual, society, firm, club, partnership, corporation or association of persons and municipality other than the Town of Glenville or Village of Scotia.

RUBBISH — Includes waste material, tin cans, ashes, cinders, glass, discarded paper, cardboard, wood, lumber and all other discarded solids and/or liquids.

SANITARY LANDFILL SITE — Any lands now used or hereafter acquired or leased by the Town of Glenville for use as a sanitary landfill.

§ 232-3. Dumping restricted. [Amended 4-5-2006 by L.L. No. 3-2006]

The use of any lands within the Town of Glenville, exclusive of the Village of Scotia, as a dump or dumping grounds is hereby prohibited.

§ 232-4. Restrictions and regulations.

- A. No person, for the purpose of final disposal thereof, shall throw, deposit or cause to be thrown or deposited any garbage, rubbish or abandoned vehicles or parts thereof, in or upon any private or public lands within said Town of Glenville. [Amended 4-5-2006 by L.L. No. 3-2006; 9-2-2020 by L.L. No. 15-2020]
- B. No person, firm or corporation shall leave or deposit any garbage or rubbish of any kind upon any street, avenue, highway, park or public place within the Town of

Glenville, except that householders and business places may place garbage and rubbish in properly covered containers, in front of their premises for authorized collection and removal to a sanitary landfill site. **[Amended 4-5-2006 by L.L. No. 3-2006]** All waste containers shall be placed at the curb solely for collection. No person, firm or corporation shall place waste containers at any designated area for collection prior to 5:00 p.m. of the day immediately preceding the scheduled collection time for such designated area. Waste containers must be removed from the front of the property or any designated area for collection prior to 9:00 p.m. of the day of collection and may not be stored in front of the property.

- C. The owner or his agent or the occupant of any premises within the Town of Glenville shall be responsible for the sanitary condition of the premises occupied or owned by him. No person or persons shall store, or cause to be stored, garbage or rubbish from a private residence or business establishment upon the premises of a private residence or business establishment outside of a closed building except in solid covered containers. **[Amended 9-2-2020 by L.L. No. 15-2020]**
- D. Neither garbage nor rubbish shall be permitted on a vacant lot. **[Added 9-2-2020 by L.L. No. 15-2020]**

§ 232-5. Requirements for vehicles. [Amended 4-5-2006 by L.L. No. 3-2006]

- A. All garbage and rubbish transported, brought and/or carried through the Town of Glenville shall be contained securely and battened down within or upon the vehicles transporting the same.
- B. All commercial vehicles used in the transportation of rubbish shall be equipped with proper tarpaulin or other type of enclosing cover, and all trucks transporting garbage, with or without rubbish, shall have watertight metal containers, which shall be kept clean when not in use. If garbage is not in watertight containers, the body of this vehicle itself must be reasonably tight. Vehicles must be kept in reasonably good mechanical and body condition. They must be kept as sanitary as the nature of the use permits. The vehicles must bear the name of the operator in letters at least six inches high.¹

§ 232-6. Licenses.

- A. A license shall be issued by the Town Clerk to each garbage and rubbish collector upon the payment by the applicant of a fee as set from time to time by resolution of the Town Board,² and of a further fee as set from time to time by resolution of the Town Board for each additional truck or other conveyance owned by any person, firm or organization used by him, them or it in such removal or transportation. Rental trucks may be submitted for regularly licensed trucks without fee while the same are out of order for repair, but they must carry the same identification markings as the trucks they replace, and their use must be first reported to the Town Clerk. **[Amended 11-16-1982 by L.L. No. 5-1982; 4-5-2006 by L.L. No. 3-2006]**
- B. Licensees under this section shall not collect garbage and/or rubbish on Sundays or such other days as the Town Board shall from time to time direct. No collection of

garbage and/or rubbish shall be permitted in residential areas before the hour of

1. Editor's Note: Original § 22-6, Compliance with rules, and original § 22-7, Permits, as amended 11-16-1982 by L.L. No. 5-1982, both of which immediately followed this subsection, were deleted 4-5-2006 by L.L. No. 3-2006.
2. Editor's Note: See Ch. 139, Fees.

6:00 a.m.

- C. All licenses shall be issued on or before and effective as of January 1 of any year and shall be for the period covering January 1 to December 31 of such calendar year. Applicants for such licenses who apply at any other time shall pay a pro rata portion of the entire fee applicable from the date of issuance of the license to expiration time of December 31 of the license year.
- D. In addition to the other requirements of this article, all license and permit applications shall include a schedule of rates to be charged and services to be rendered, together with approximate hours of collection in each block or a map showing approximate hours of collection in each area shown. "Approximate" shall mean whether morning or afternoon hours and on what day. A separate schedule must be furnished for each vehicle licensed.
- E. Applications must be filed six weeks before a license expires or is to become effective, to allow for proper investigation and processing.
- F. All license applications shall be investigated under the supervision of the Superintendent of Highways, and all officers and employees of the Town shall cooperate with him in investigating applicants and inspecting equipment. **[Amended 4-5-2006 by L.L. No. 3-2006]**
- G. Licenses described in this § 232-6 are limited to collectors collecting in the Town of Glenville. **[Amended 11-16-1982 by L.L. No. 5-1982; 4-5-2006 by L.L. No. 3-2006]**
- H. A roster of licenses shall be maintained by the Town Clerk for public inspection.³
- I. Each collector shall file a certificate of a \$10,000/\$20,000 public liability policy and a certificate of his vehicle liability policy with the Town Clerk.

§ 232-7. Penalties for offenses. [Amended 6-21-1989 by L.L. No. 2-1989; 9-2-2020 by L.L. No. 15-2020]

- A. If any such person shall fail or neglect to provide for the removal of garbage or rubbish as described in § 232-4, the Commissioner of Public Works, his designee or any Code Enforcement Officer of the Town shall give written notice to said person by personal service or by affixing the notice to the door of the offending property and by mailing the notice by first-class mail to the person to be served at his or her last known residence ordering such cutting and removal within five days after such notice is given.
- B. If, after due notice as set forth above, said person shall refuse, neglect or fail to comply with the order to cut and remove such growth, the Commissioner shall cause said garbage or refuse to be removed, and the cost thereof, plus an administrative fee equal to the greater of 15% of the cost of such work or \$200,

3. Editor's Note: Original Subsection I, regarding distribution of rules, which immediately followed this subsection, was deleted 4-5-2006 by L.L. No. 3-2006.

shall be assessed against the property by the Town Board, which shall constitute a lien and charge on such land and may be assessed upon said land in the manner provided in § 64, Subdivision 5-a, of the Town Law.

- C. Any person, firm or corporation who shall violate any of the provisions of this article or fail to comply therewith or with any of the provisions thereof shall be guilty of a misdemeanor and, upon conviction thereof, shall be punishable by a fine not exceeding \$500 for each offense or by imprisonment in the county jail for a term not to exceed six months, or by both such fine and imprisonment.

§ 232-8. Additional penalties.

- A. In addition to the penalties above provided, after a public hearing the Town Board may revoke any license or special permit issued pursuant to this article if the Town Board at such public hearing determines the holder of such license or special permit to be an undesirable person or incapable of or unwilling to comply with the provisions of this article. The licensee or special permittee shall have an opportunity to be heard at such public hearing, which shall be held after such licensee or special permittee shall be served by written notice of such public hearing in person or by registered mail, return receipt requested, not less than 15 days prior to the date of such hearing.
- B. The Town Board shall also have such other remedies as are provided by law.
- C. Any vehicle used in violation of this article shall be confiscated by the Town of Glenville and shall become the property of the Town of Glenville. [Added 6-21-1989 by L.L. No. 2-1989]

§ 232-9. Inspection of trucks and carriers. [Amended 11-16-1982 by L.L. No. 5-1982]

The Town Board shall, by resolution, designate one or more Town employees to inspect all trucks and other carriers transporting garbage and rubbish prior to issuance or renewal or during the period of time licenses or special permits are in effect and also with the enforcement of such other provisions of this article as the Town Board may designate.

§ 232-10. Complaints.⁴

All complaints of collectors submitted by customers, by employees of collectors or by the Town shall be investigated by the Superintendent of Highways and a report made to the Town Board before action is taken pursuant to § 232-8 or before pending license applications are issued by the Town Clerk.⁵

§ 232-11. Exceptions. [Added 6-21-1989 by L.L. No. 2-1989⁶]

4. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

5. Editor's Note: Original § 22-13, Fees, as amended, which immediately followed this section, was deleted at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

6. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

- A. The provisions of this article prohibiting the use of any lands within the Town of Glenville, exclusive of the Village of Scotia, as a dump or dumping grounds does not apply to the property owned by the County of Schenectady in the Town of Glenville and for which the County of Schenectady has obtained approval to construct and operate a compost facility.
- B. The provisions of this article prohibiting the use of any lands within the Town of Glenville, exclusive of the Village of Scotia, as a dump or dumping grounds does not apply to the disposal of septic tank wastes. The disposal of septic tank wastes is regulated by §§ 217-15 through 217-19 of the Code of the Town of Glenville.
- C. The provisions of this article prohibiting the use of any lands within the Town of Glenville, exclusive of the Village of Scotia, as a dump or dumping grounds does not apply to the depositing of clean fill upon land in the Town of Glenville for the purpose of reclaiming land to enable it to be used for construction of buildings or for the construction of septic systems.

§ 232-12. Effective date.

This article shall take effect October 1, 1971; provided, however, that no additional licensing fees shall be charged commercial collectors now licensed by the Town of Glenville prior to January 1, 1972.

ARTICLE II
Recycling
[Adopted 4-19-1989 (Ch. 32 of the 1966 Code)]

§ 232-13. Definitions.

As used in this article, the following words are intended to include and be defined as follows:

JUNK MAIL — Any unwanted paper that comes in the mail and office papers, including writing paper, note paper, computer paper, fax paper, copy paper, other stationery and envelopes, including window envelopes, but excluding carbon paper and brown mailing envelopes or folders. **[Added 6-15-1994; amended 7-19-2000]**

NEWSPAPER — Dry newspapers, including inserts.

RECYCLABLE MATERIALS — Newspapers, yard and garden waste, glass, plastics, corrugated cardboard, tin, aluminum, brown paper bags, magazines, glossy brochures, catalogs, junk mail, juice boxes and juice and milk cartons. **[Amended 9-20-1989; 4-3-1991; 5-1-1991; 6-15-1994]**

SCAVENGING — The uncontrolled and unauthorized picking, sorting and removal of solid waste, either before, during or following disposal.

SOLID WASTE — All types of waste materials, including but not limited to residential, commercial, institutional and industrial waste.

UNSEPARATED RECYCLABLE MATERIALS — Recyclable materials, as specified herein, that are mixed with other solid waste.

YARD WASTE — Residential or commercial leaf waste, lawn clippings and brush.

§ 232-14. Separation of recyclable materials required.

- A. All waste generators and handlers in the Town of Glenville shall source-separate recyclable materials from all other solid wastes. **[Amended 7-19-2000]**
- B. Newspaper and inserts shall be placed at the curbside only in plastic twenty-gallon or less containers having handles and lids and having the Scotia-Glenville recycling sticker affixed thereto. **[Added 8-16-1989]**
- C. Yard waste shall be placed at the curbside in conformity with the requirements of the composting facility operated by the County of Schenectady or as those requirements may be amended from time to time. **[Added 8-16-1989]**
- D. Residential solid waste (nonrecyclables), if packaged in plastic bags, shall be packaged in clear plastic bags. **[Added 5-1-1991]**
- E. Recyclables, if packaged in plastic bags, shall be packaged in clear plastic bags. **[Added 5-1-1991]**

§ 232-15. Scavenging. [Amended 6-12-2013 by L.L. No. 4-2013]

- A. Upon placement of household waste, garbage, refuse, recyclables (including, but not limited to paper, glass, plastic and metal items), furniture, or other material outfor residential curbside collection, Town bulk item pick-up or upon delivery to any disposal location designated by the Town, it shall be a violation of this article for any person other than a Town licensed garbage and refuse collector hired by the property owner or authorized agents or employees of the Town to disturb, rummage in or sort through, remove, collect or pick up any such waste, garbage, refuse, recyclables, furniture or other material or cause the same to be disturbed, sorted through, removed, collected or picked up.
- B. Nothing in this article shall abridge the right of any person to give or sell their recyclables or unwanted personal property to any person, provided that such items have not been set out for residential curbside collection, Town bulk item pick-up or delivered to a Town designated disposal location.

§ 232-16. Penalties for offenses. [Amended 4-5-2006 by L.L. No. 3-2006]

Any person, firm or corporation violating any provision of this article shall be guilty of a misdemeanor punishable by a fine not to exceed \$1,000 or imprisonment not to exceed six months, or by both such fine and imprisonment.

§ 232-17. Effective date.

This article shall take effect on July 1, 1989.

Sponsored by: Gina Wierzbowski, Town Councilwoman
Submitted by: James Pangburn, Deputy Building Inspector

RESOLUTION NO. 14-2021

Moved by:
Seconded by:

WHEREAS, the Deputy Building Inspector of the Town of Glenville filed a report in writing with the Town Board of the Town of Glenville containing his findings and recommendations regarding certain premises situate on 513 Elliott Street designated by Tax Map No. 38.11-6-6, in which report the Deputy Building Inspector stated his opinion that said premises were unsafe and dangerous to the public health, safety and general welfare of the community and recommended the immediate emergency demolition of the condemned and unsafe residential structure; and

WHEREAS, the Deputy Building Inspector of the Town of Glenville reported that the structure is unsafe and unsecured to the elements and wildlife; and

WHEREAS, the Building Inspector's office notified the Property Owners, Matthew and Jill Kranick, by certified mail and physically posting notice on the property that the structure is unsafe and uninhabitable and should be remediated; and

WHEREAS, the Property Owners having taken no steps to repair or demolish the unsafe residential structure from the premises by October 7, 2020, the Town Board of the Town of Glenville adopted a resolution on October 7, 2020 authorizing the Commissioner of Public Works to enter into contracts for the emergency demolition of the structure; and

WHEREAS, said resolution also stated that the Town Board of the Town of Glenville will provide the owner and all other persons having an interest in the property an opportunity to be heard prior to assessing any liens against the property;

NOW, THEREFORE, THE TOWN BOARD OF THE TOWN OF GLENVILLE HEREBY FINDS AND DETERMINES THAT:

1. The residential structure owned by Matthew and Jill Kranick located at 513 Elliott Street in the Town of Glenville, County of Schenectady, State of New York (Tax Map No. 38.11-6-6) has been rendered unsafe and structurally unsound.
2. The Building Inspector's office of the Town of Glenville notified the property owners, by certified mail and by physically posting notice on the property, of the nature of the violations thereon.
3. The residential structure was not secured, repaired, or demolished prior to the Town Board Meeting on October 7, 2020.

4. The residential structure was not repaired, secured or made habitable and the structure represents an imminent danger and risk to public health and safety.
5. The Town Board of the Town of Glenville adopted a resolution on October 7, 2020 directing the Commissioner of Public Works to enter into contracts to demolish the aforementioned structure.
6. The property owners failed and refused to comply with the Town Board resolution of October 7, 2020 mailed to them by certified mail within the ten days as provided in such resolution.
7. In light of the failure of the property owners, the Town was required to and did hire a demolition company to demolish the structure and to remove all debris.
8. The property owners failed to respond to a certified mailing sent to them on May 10, 2021 which included a demand for payment to the Town in the amount of \$28,504.00, said amount representing the cost of the demolition of the structure and the removal of the debris paid by the Town.
9. The aforesaid property owners have failed and neglected to reimburse the Town the total expense of \$28,504.00 paid for the demolition of the structure and the removal of the debris.

WHEREAS, the Town's legal remedy to enforce the non-payment is to establish a lien on the parcel of real property in accordance with Town Law section 64 (5-a); and

WHEREAS, the Town Board wishes to hold a public hearing with respect to the proposed imposition of a lien on the parcel of real property commonly known as 513 Elliott Street;

NOW, THEREFORE, BE IT RESOLVED, that a public hearing be held by the Town Board of the Town of Glenville with respect to the proposed imposition of a lien on the parcel of real property commonly known as 513 Elliott Street at 7:00 PM on Wednesday, November 17, 2021, at the Glenville Municipal Center, 18 Glenridge Road, Glenville, New York, and it is further

RESOLVED that the Town Clerk is hereby authorized and directed to cause public notice of said hearing to be given as provided by law.

Ayes:

Noes:

Absent:

Abstention:

Motion Carried/Defeated

Town Board decision on November 3, 2021.

Sponsored by: Gina M. Wierzbowski, Deputy Supervisor
Submitted by: Jason Cuthbert, Town Comptroller

RESOLUTION NO. 15-2021

Moved by:
Seconded by:

A RESOLUTION approving preliminary capital expense budgets of **Water District No. 11** of the Town of Glenville and **Extensions No. 10 through 51** for the year 2022.

BE IT RESOLVED AS FOLLOWS BY THE TOWN BOARD OF THE TOWN OF GLENVILLE, NEW YORK:

SECTION 1. The Town Board of the Town of Glenville as Commissioners of Water District No. 11 hereby adopts the following preliminary capital expense budget of Water District No. 11 and its extensions of the Town of Glenville for the calendar fiscal year 2022:

Appropriations:

| | |
|---------------------------------------------------------------------------------------------|----------------------|
| Increase of Facilities for Water District No. 11 and Extensions (Redemption of Bonded Debt) | |
| Principal Due 6/15/22 & 12/1/22 | \$ 678,800.00 |
| Interest Due 6/1/22, 6/15/22, 12/1/22, 12/15/22 | \$ 100,284.00 |
| Bond Anticipation Note (BAN) / Principal (Increase in facility for Water District 11) | \$ 79,000.00 |
| Bond Anticipation Note (BAN) / Interest (Increase in facility for Water District 11) | \$ 4,285.00 |
| Charges of Paying Agents in connection with BAN | \$ 788.00 |
| | <u>\$ 863,157.00</u> |

Estimated Revenue:

| | |
|--------------------------------------------------------------------------------|----------------------|
| Income from temporary investment of assessment for benefit for debt service | \$ 150.00 |
| Allocation of metered water sales | \$ 56,096.00 |
| Appropriated fund balance | \$ 90,000.00 |
| Appropriated debt reserve | \$ 88,000.00 |
| | <u>\$ 234,246.00</u> |

Equivalency Charges:

| | |
|-------------------------|--------------|
| Charlton Water District | \$ 51,790.00 |
|-------------------------|--------------|

| | |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------|
| Net amount to be raised by assessment for benefit (based on assessed value and on front footage) for capital expense budget for Water District No. 11 and Extensions | <u>\$ 577,121.00</u> |
| Total Revenue | <u>\$ 863,157.00</u> |

SECTION 2. (a) A proposed assessment roll has been prepared for raising funds for the above preliminary capital expense budget of Water District No. 11 of the Town of Glenville and Extension Nos. 10 thru 51 thereof, including the apportionment to said Extension Nos. 10 thru 51 of their respective share of the water supply and transmission and distribution lines;

(b) Computation of assessments based on assessed value of real property:

Portion of debt service to be paid by assessments based on assessed value on real property:

| | |
|-------------------------------------------------------------------------------|----------------------|
| Transmission lines, water supply and treatment: | |
| Gross expense facilities (Section 1 of Resolution) | <u>\$ 234,246.00</u> |
| Total debt service for transmission lines, water supply and treatment..... | \$ 628,911.00 |

| | |
|-----------------------------------------------------------------------------------------------------------------------------------|---------------------|
| Rate for Water District No. 11, Extension Nos. 10 thru 51 and Charlton Water District based on aggregate full value of..... | \$ 2,089,607,759.00 |
|-----------------------------------------------------------------------------------------------------------------------------------|---------------------|

SECTION 3. The assessment roll for Water District No. 11 and Extension Nos. 10 thru 51 thereof, as mentioned above, shall be filed with the Clerk of the Town Board.

SECTION 4. This resolution takes effect immediately.

Ayes:
Noes:
Absent:
Abstentions:

Motion Carried/Defeated

Town Board decision on November 3, 2021.

Sponsored by: Gina Wierzbowski, Deputy Supervisor
 Submitted by: Jason Cuthbert, Town Comptroller

RESOLUTION NO. 16-2021

Moved by:
 Seconded by:

A RESOLUTION approving a preliminary capital expense budget of Sewer District No. 9 and Extension No. 7 for the year 2022.

BE IT RESOLVED AS FOLLOWS BY THE TOWN BOARD OF THE TOWN OF GLENVILLE, NEW YORK:

SECTION 1. The Town Board of the Town of Glenville as Commissioners of Sewer District No. 9 and Extension No. 7 hereby adopts the following preliminary capital expense budget of Sewer District No. 9 and Extension No. 7 of the Town of Glenville for the calendar fiscal year 2022.

Appropriations, Sewer District No. 9:

| | |
|-----------------------------------------------------|--------------------|
| Redemption of Bonded Debt | |
| on 04/01/2022 of \$1,860,000..... | \$ 155,000.00 |
| Interest on Bond Note | |
| due 04/01/2022 and 10/01/2022..... | \$ 33,502.86 |
| Administration fee on Bond Note due 05/15/2022..... | <u>\$ 3,486.00</u> |
| | \$ 191,988.86 |

Estimated Revenue, Sewer District No. 9:

| | |
|-------------------------------------------|---------------------|
| Appropriated Debt Reserve | \$ <u>77,000.00</u> |
| Amount to be raised on benefit plan | \$ 114,988.86 |

Appropriations, Extension No. 7:

| | |
|----------------------------------------------------------------------------------------------------------|------------------|
| Redemption of bond anticipation note (BAN) | |
| on 03/18/2022 of \$156,000..... | \$ 13,500.00 |
| BAN interest due on 03/18/2022 on \$156,000..... | \$ 434.03 |
| Charges of Paying Agents and miscellaneous expenses in connection with payment of principal and interest | <u>\$ 708.00</u> |
| Amount to be raised on benefit plan | \$ 14,642.03 |

SECTION 2. A proposed assessment roll shall be prepared for raising funds for the above preliminary capital expense budget of Sewer No. 9 pursuant to the benefit unit basis set forth in the engineering plan for said sewer district.

| | |
|-------------------------------------|--------------|
| Amount to be raised by benefit plan | \$114,988.86 |
| Number of Benefit Units | 13,339.25 |
| Charge Per Benefit Unit | \$ 8.620339 |

SECTION 3. A proposed assessment roll shall be prepared for raising funds for the above preliminary capital expense budget of Sewer District No. 9, Extension No. 7 pursuant to the benefit unit basis set forth in the engineering plan for said sewer extension, said benefit unit plan providing for the assignment of one (1) benefit unit to each individual parcel of land.

| | |
|-------------------------------------|--------------|
| <u>Extension No. 7</u> | |
| Amount to be raised by benefit plan | \$ 14,642.03 |
| Number of Benefit Units | 19 |
| Charge Per Benefit Unit | \$ 770.63 |

SECTION 4. The proposed assessment roll for Sewer District No. 9 and Extension No. 7 shall be prepared and the appropriate extensions made thereon pursuant to this resolution and such proposed assessment roll and the estimate of income and expenditures shall be filed with the Clerk of the Town Board.

SECTION 5. This resolution takes effect immediately.

Ayes:

Noes:

Absent:

Abstentions:

Motion Carried/Defeated

Town Board decision on November 3, 2021.

Sponsored by: Gina M. Wierzbowski, Deputy Supervisor
Submitted by: Jason Cuthbert, Town Comptroller

RESOLUTION NO. 17-2021

Moved by:
Seconded by:

A RESOLUTION approving preliminary Capital expense budget of **Sewer District No. 1** for the year 2022.

BE IT RESOLVED AS FOLLOWS BY THE TOWN BOARD OF THE TOWN OF GLENVILLE, NEW YORK:

SECTION 1. The Town Board of the Town of Glenville as Commissioners of Sewer District No. 1 hereby adopts the following capital expense budget of Sewer District No. 1 of the Town of Glenville for the calendar fiscal year 2022:

Appropriations:

| | |
|------------------------------------|-------------|
| Redemption of Bonded Debt | |
| on 06/01/22 of \$1,230,630 | \$82,042.00 |
| 0% interest on \$1,230,630 in 2022 | <u>0.00</u> |
| | \$82,042.00 |

Estimated Revenue:

| | |
|---------------------------------|------------------|
| Clifton Park equivalency charge | \$47,854.00 |
| Appropriated Debt Reserve | <u>20,000.00</u> |
| | \$67,854.00 |

| | |
|-------------------------------------|-------------|
| Amount to be raised on benefit plan | \$14,188.00 |
|-------------------------------------|-------------|

SECTION 2. A proposed assessment roll shall be prepared for raising funds for the above preliminary capital expense budget of Sewer District No. 1 pursuant to the benefit unit basis set forth in the engineering plan for said sewer districts.

SECTION 3. Said benefit unit plan provides for the assignment of benefit units to each individual parcel of land based on engineering planning report.

| | |
|-------------------------------------|-------------|
| Amount to be raised by benefit plan | \$14,188.00 |
| Number of Benefit Units | 229.00 |
| Charge per Benefit Unit | \$61.9563 |

| | |
|----------------------------------------------|---------|
| Annual Charge Per Single Family Residence | \$61.96 |
|----------------------------------------------|---------|

SECTION 4. The proposed assessment roll for Sewer District No. 1 shall be prepared and the appropriate extensions made thereon pursuant to this resolution and such proposed assessment roll and estimate of income and expenditures shall be filed with the Clerk of the Town Board.

SECTION 5. This resolution takes effect immediately.

Ayes:
Noes:
Absent:
Abstentions:

Motion Carried/Defeated

Town Board decision on November 3, 2021.

Sponsored by: Gina M. Wierzbowski, Deputy Supervisor
Submitted by: Jason Cuthbert, Town Comptroller

RESOLUTION NO. 18-2021

Moved by:
Seconded by:

A RESOLUTION approving a preliminary Capital expense budget of the **Sewer District No. 2** for the year 2022.

BE IT RESOLVED AS FOLLOWS BY THE TOWN BOARD OF THE TOWN OF GLENVILLE, NEW YORK:

SECTION 1. The Town Board of the Town of Glenville as Commissioners of the Sewer District No. 2 hereby adopts the following capital expense budget of Sewer District No. 2 of the Town of Glenville for the calendar fiscal year 2022:

Appropriations:

| | |
|----------------------------------------|-----------------|
| Redemption of Bonded Debt | |
| on 12/01/22 of \$218,700 | \$41,700.00 |
| Interest payments on \$218,700 in 2022 | <u>4,711.26</u> |
| | \$46,411.26 |

Estimated Revenue:

| | |
|-------------------------------------|--------------------|
| Appropriated Debt Reserve | <u>\$32,000.00</u> |
| Amount to be raised on benefit plan | \$14,411.26 |

SECTION 2. A proposed assessment roll shall be prepared for raising funds for the above preliminary capital expense budget of Sewer District No. 2 pursuant to the benefit unit basis set forth in the engineering plan for said sewer districts.

SECTION 3. Said benefit unit plan provides for the assignment of one (1) benefit unit for each 1,000 gallons of water used.

| | |
|-------------------------------------|-------------|
| Amount to be raised by benefit plan | \$14,411.26 |
| Estimated Number of Benefit Units | 135,252.47 |
| Estimated Charge Per Benefit Unit | \$0.106551 |

| | |
|------------------------------------------------------------------------|--------|
| Estimated Annual Charge Per Single Family Residence (40 benefit units) | \$4.26 |
|------------------------------------------------------------------------|--------|

SECTION 4. The proposed assessment roll for Sewer District No. 2 shall be prepared and the appropriate extensions made thereon pursuant to this resolution and such proposed assessment roll and estimate of income and expenditures shall be filed with the Clerk of the Town Board.

SECTION 5. This resolution takes effect immediately.

Ayes:

Noes:

Absent:

Abstentions:

Motion Carried/Defeated

Town Board decision on November 3, 2021.

Sponsored by: Gina M. Wierzbowski, Deputy Supervisor
Submitted by: Jason Cuthbert, Town Comptroller

RESOLUTION NO. 19-2021

Moved by:
Seconded by:

A RESOLUTION adopting the assessment rolls for **Water District No. 11 and Extension Nos. 10 through 51** of the Town of Glenville, Schenectady County, New York for the year 2022

WHEREAS, on November 3, 2021 the Town Board of the Town of Glenville adopted a preliminary capital expense budget for Water District No. 11 and Extension Nos. 10 through 51 of the Town of Glenville; and

WHEREAS, assessment rolls have been prepared by the Water Commissioners of Water District No. 11 and Extension Nos. 10 through 51, Town of Glenville, Schenectady County, New York based upon said preliminary capital expense budget for and in connection with said Water Districts; and

WHEREAS, said assessment rolls were completed and filed in the office of the Town Clerk of said Town on June 1, 2021; and

WHEREAS, due notice of the completion of said assessment rolls and of the time and place when and where this Town Board would meet to hear and to consider any objections that might be made to said rolls was duly given by the Town Clerk by the publication of due notice thereof in The Daily Gazette, a newspaper published in the County of Schenectady and circulated in the Town of Glenville, and this Town Board duly met at the time and place specified and a hearing was duly had upon said assessment rolls;

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS BY THE TOWN BOARD OF THE TOWN OF GLENVILLE, NEW YORK:

SECTION 1. Said assessment rolls are hereby approved, affirmed and adopted by the Town Board.

SECTION 2. This resolution takes effect immediately.

Ayes:
Noes:
Absent:

Abstentions:

Motion Carried/Defeated

Town Board decision on November 3, 2021.

Sponsored by: Gina M. Wierzbowski, Deputy Supervisor
Submitted by: Jason Cuthbert, Town Comptroller

RESOLUTION NO. 20-2021

Moved by:
Seconded by:

A RESOLUTION adopting the assessment rolls for **Sewer District No. 9 and Extension No. 7** of the Town of Glenville, Schenectady County, New York for the year 2022

WHEREAS, on November 3, 2021 the Town Board of the Town of Glenville adopted a preliminary capital expense budget for Sewer District No. 9 and Extension No. 7 of the Town of Glenville; and

WHEREAS, assessment rolls have been prepared by the Sewer Commissioners of Sewer District No. 9 and Extension No. 7, Town of Glenville, Schenectady County, New York based upon said preliminary capital expense budget for and in connection with said Sewer Districts; and

WHEREAS, said assessment rolls were completed and filed in the office of the Town Clerk of said Town on June 1, 2021; and

WHEREAS, due notice of the completion of said assessment rolls and of the time and place when and where this Town Board would meet to hear and to consider any objections that might be made to said rolls was duly given by the Town Clerk by the publication of due notice thereof in The Daily Gazette, a newspaper published in the County of Schenectady and circulated in the Town of Glenville, and this Town Board duly met at the time and place specified and a hearing was duly had upon said assessment rolls;

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS BY THE TOWN BOARD OF THE TOWN OF GLENVILLE, NEW YORK:

SECTION 1. Said assessment rolls are hereby approved, affirmed and adopted by the Town Board.

SECTION 2. This resolution takes effect immediately.

Ayes:
Noes:
Absent:
Abstentions:

Motion Carried/Defeated

Town Board decision on November 3, 2021.

Sponsored by: Gina M. Wierzbowski, Deputy Supervisor
Submitted by: Jason Cuthbert, Town Comptroller

RESOLUTION NO. 21-2021

Moved by:
Seconded by:

A RESOLUTION adopting the assessment roll for **Sewer District No. 1** of the Town of Glenville, Schenectady County, New York for the year 2022

WHEREAS, on November 3, 2021 the Town Board of the Town of Glenville adopted a preliminary capital expense budget for Sewer District No. 1 of the Town of Glenville; and

WHEREAS, assessment rolls have been prepared by the Sewer Commissioners of Sewer District No. 1, Town of Glenville, Schenectady County, New York based upon said preliminary capital expense budget for and in connection with said Sewer Districts; and

WHEREAS, said assessment rolls were completed and filed in the office of the Town Clerk of said Town on June 1, 2021; and

WHEREAS, due notice of the completion of said assessment rolls and of the time and place when and where this Town Board would meet to hear and to consider any objections that might be made to said rolls was duly given by the Town Clerk by the publication of due notice thereof in The Daily Gazette, a newspaper published in the County of Schenectady and circulated in the Town of Glenville, and this Town Board duly met at the time and place specified and a hearing was duly had upon said assessment rolls;

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS BY THE TOWN BOARD OF THE TOWN OF GLENVILLE, NEW YORK:

SECTION 1. Said assessment rolls are hereby approved, affirmed and adopted by the Town Board.

SECTION 2. This resolution takes effect immediately.

Ayes:
Noes:
Absent:
Abstentions:

Motion Carried/Defeated

Town Board decision on November 3, 2021.

Sponsored by: Gina M. Wierzbowski, Deputy Supervisor
Submitted by: Jason Cuthbert, Town Comptroller

RESOLUTION NO. 22-2021

Moved by:
Seconded by:

A RESOLUTION adopting the assessment roll for **Sewer District No. 2** of the Town of Glenville, Schenectady County, New York for the year 2022

WHEREAS, on November 3, 2021 the Town Board of the Town of Glenville adopted a preliminary capital expense budget for Sewer District No. 2 of the Town of Glenville; and

WHEREAS, assessment rolls have been prepared by the Sewer Commissioners of Sewer District No. 2, Town of Glenville, Schenectady County, New York based upon said preliminary capital expense budget for and in connection with said Sewer Districts; and

WHEREAS, said assessment rolls were completed and filed in the office of the Town Clerk of said Town on June 1, 2021; and

WHEREAS, due notice of the completion of said assessment rolls and of the time and place when and where this Town Board would meet to hear and to consider any objections that might be made to said rolls was duly given by the Town Clerk by the publication of due notice thereof in The Daily Gazette, a newspaper published in the County of Schenectady and circulated in the Town of Glenville, and this Town Board duly met at the time and place specified and a hearing was duly had upon said assessment rolls;

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS BY THE TOWN BOARD OF THE TOWN OF GLENVILLE, NEW YORK:

SECTION 1. Said assessment rolls are hereby approved, affirmed and adopted by the Town Board.

SECTION 2. This resolution takes effect immediately.

Ayes:

Noes:

Absent:

Abstentions:

Motion Carried/Defeated

Town Board decision on November 3, 2021.

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

RESOLUTION NO. 23-2021

Moved by:
Seconded by:

WHEREAS, the Water User Fee Roll of the Town of Glenville, Water District #11 was approved for collection as of June 1, 2021 in the amount of \$1,578,285.80; and

WHEREAS, due to reporting and clerical errors, five adjustments were required to correct the accepted warrant, with the corrected warrant for Water District #11 being approved by the Town Board of Glenville on September 1, 2021 in the amount of \$1,575,011.14; and

WHEREAS, it was recently discovered that an additional adjustment is required to correct a misplaced decimal point in a manual water meter read; and

WHEREAS, the Town of Glenville Water Department has confirmed the corrected water meter reading for this parcel;

NOW, THEREFORE, BE IT RESOLVED that the following customer water billing be adjusted:

| # | ACCOUNT NUMBER | ADDRESS | ADJUSTMENT |
|---|-------------------|----------------|--------------|
| 1 | 18-0118102400-001 | 82 Saratoga Rd | (\$1,008.93) |

BE IT STILL FURTHER RESOLVED that the newly corrected warrant for Water District #11 is \$1,574,002.21.

Ayes:
Noes:
Absent:
Abstentions:

Motion Carried/Defeated

Town Board decision on November 3, 2021.

Sponsored by: Christopher Koetzle, Town Supervisor
Submitted by: Courtney Heinel, Attorney

RESOLUTION NO. 24-2021

Moved by:
Seconded by:

WHEREAS, a Member of the Town Board of the Town of Glenville is introducing a Local Law to add a new chapter XXX, "Town Properties" to the Code of the Town of Glenville (a copy of which is attached hereto); and

WHEREAS, the Town recognizes the continuing need to help role model nonsmoking behavior to children and youth, to protect children and youth, to protect the public from the effects of secondhand smoke, and to encourage the protection of public health; and

WHEREAS, the Town Board of the Town of Glenville held a public hearing with respect to the adoption of said Local Law on Wednesday, November 3, 2021 at 7:00 PM, at which time and place all persons interested in the adoption of a new local law to add a new chapter XXX, "Town Properties" to the Code of the Town of Glenville were heard;

NOW, THEREFORE BE IT RESOLVED, that the proposed Local Law adding a new chapter XXX, "Town Properties" to the Code of the Town of Glenville, be and hereby is adopted; and

BE IT FURTHER RESOLVED, that the Town Clerk is hereby directed to file the Local Law with the Secretary of State.

Ayes:
Noes:
Absent:
Abstentions:

Motion Carried/Defeated

Town Board Decision on November 3, 2021

§ XXX-XX Purpose.

The purpose of this article is to prohibit smoking on all Town properties, including at all Town of Glenville parks and their facilities, as well as picnic areas, sports areas, playgrounds and parking lots owned or operated by the Town of Glenville. The Town Board hereby finds that a potential health hazard exists from allowing smoking on said premises both from smoke and from the debris created by discarded cigarettes and other smoking materials. The Town of Glenville declares that smoking in and upon certain Town-owned property is deleterious to such property and harmful to the health of persons using and enjoying such Town-owned lands. Accordingly, and based upon the authority of the Town of Glenville to regulate the use of its property and the authority of the Town to enact laws in furtherance thereof, including, but not limited to, Town Law § 64 and § 130, Public Health Law § 1399-r, and the Municipal Home Rule Law § 10, the Town of Glenville adopts this chapter in furtherance of the health, welfare, and safety of the Town and its residents.

§ XXX-XX Smoking prohibited.

The smoking, principally, but not exclusively, meaning the use, ignition, and/or consumption of tobacco, cannabis as defined in section 222.00 of the penal law, or cannabinoid hemp as defined in section three of the cannabis law and other combustible products designed to be inhaled through cigarettes, cigars, pipes, vapes and similar devices, or carrying of lighted cigarettes and/or cannabis and other smoking materials, on all Town properties including Town of Glenville parks and their facilities, as well as picnic areas, sports areas, playgrounds and parking lots owned or operated by the Town of Glenville is hereby prohibited.

§ XXX-XX Effect upon other laws.

This chapter shall in no way limit or alter any restriction upon smoking imposed by any law of the State of New York.

§ XXX-XX Penalties for offenses; enforcement.

A.

Any person convicted of a violation of this article shall be guilty of a violation and punished by a warning for their first offense, \$50 for a second offense and a fine of not more than \$100 for each offense thereafter.

B.

The Town of Glenville Police Department, or any other agency, officer or employee designated by the Town Board by resolution shall be charged with the enforcement of this article.

Sponsored by: Christopher A. Koetzle, Supervisor
Submitted by: Courtney Heinel, Attorney

RESOLUTION NO. 25-2021

Moved by:
Seconded by:

WHEREAS, a Member of the Town Board of the Town of Glenville is introducing a Local Law to add a new chapter XXX, "Cannabis Management" to the Code of the Town of Glenville (a copy of which is attached hereto); and

WHEREAS, Cannabis Law § 131 which expressly authorizes the town board to adopt a local law requesting the Cannabis Control Board to prohibit the establishment of cannabis retail dispensary licenses and/or on-site consumption licenses within the jurisdiction of the town and is subject to a permissive referendum; and

WHEREAS, the Town Board of the Town of Glenville held a public hearing with respect to the adoption of said Local Law on Wednesday, November 3, 2021 at 7:00 PM, at which time and place all persons interested in the adoption of a new local law to add a new chapter XXX, "Cannabis Management" to the Code of the Town of Glenville;

NOW, THEREFORE, BE IT RESOLVED, that that the proposed Local Law to add a new chapter XXX, "Cannabis Management" to the Code of the Town of Glenville be and hereby is adopted subject to the permissive referendum procedures of Municipal Home Rule Law § 24; and

BE IT FURTHER RESOLVED that within 10 days of the passage of this resolution the Town Clerk of the Town of Glenville shall post and publish a notice, in the same manner as provided for notice of a special election, which shall set forth the date of the adoption of the resolution and contain an abstract of such resolution concisely stating the purpose and effect thereof. The notice shall specify that such resolution was adopted subject to a permissive referendum.

BE IT FURTHER RESOLVED that this resolution shall take effect upon the passage of 45 days from its adoption unless a qualified petition signed, acknowledged, proved or authenticated by electors of the town qualified to vote upon a proposition to raise and expend money in a number equal to at least five per centum of the total vote cast for governor in the Town at the last general election held for the election of state officers is received within 45 days

Ayes:
Noes:
Absent:
Abstentions:

Motion Carried/Defeated

Town Board Decision on November 3, 2021

Local Law No _____ of the year 2021

A local law to opt out of allowing cannabis retail dispensaries and on-site consumption sites as authorized under Cannabis Law Article 4

Section 1. Legislative Intent

It is the intent of this local law to opt out of allowing cannabis retail dispensaries and on-site cannabis consumption sites in the Town of Glenville that would otherwise be allowed under Cannabis Law Article 4.

Section 2. Authority

This local law is adopted pursuant to Cannabis Law § 131 which expressly authorizes the town board to adopt a local law requesting the Cannabis Control Board to prohibit the establishment of cannabis retail dispensary licenses and/or on-site consumption licenses within the jurisdiction of the town and is subject to a permissive referendum, the procedure of which is governed by Municipal Home Rule Law § 24.

Section 3. Local Opt-Out

The Town Board of the Town of Glenville hereby opts out of allowing cannabis retail dispensaries and on-site cannabis consumption sites from being established and operated within the town's jurisdiction.

Section 4. Severability.

If any clause, sentence, paragraph, subdivision, or part of this Local Law or the application thereof to any person, firm or corporation, or circumstance, shall be adjusted by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this Local Law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

Section 5. Permissive Referendum/Referendum on Petition

This local law is subject to a referendum on petition in accordance with Cannabis Law § 131 and the procedure outlined in Municipal Home Rule Law § 24.

Section 5. Effective date.

This local law shall take effect immediately upon filing with the Secretary of State.

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

RESOLUTION NO. 26-2021

Moved by:
Seconded by:

WHEREAS, a Member of the Town Board of the Town of Glenville is introducing a Revitalization and Economic Development Investment (REDI) grant program.

WHEREAS, the purpose of the REDI grant program is to support small business owners.

WHEREAS, small business owners may apply for a 50/50 funding match up to \$10,000 to cover façade improvements or new signage costs as a reimbursement for pre-approved expenses; and

WHEREAS, establishing the 2022 program requires a Town Board approval authorizing the Town Supervisor to offer funds to local small businesses through a process defined in the enclosed application and attachments; and

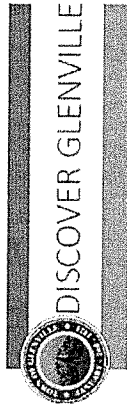
WHEREAS, offering the grant constitutes a Type II Action under SEQR 6 NYCRR 617.5 (c)(26) (26) *routine or continuing agency administration and management* and any individual awards will be subject to SEQR review if they meet or exceed any Type I thresholds;

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, November 3, 2021 at 7:00 P.M., that the proposed REDI program and application materials for the Town of Glenville hereby is authorized for dissemination to local small businesses.

Ayes:
Noes:
Absent:
Abstentions:

Motion Carried/Defeated

Town Board Decision on November 3, 2021



Mission
Create vibrant commercial corridors, safe neighborhoods and a strong community.

Christopher A. Koetzle Supervisor



R.E.D.I.
Revitalization and Economic Development
Investment

**2022 FAÇADE & SIGN GRANT
PROGRAM**

PROGRAM

The Town of Glenville Business Sign Replacement Grant Program provides a 50/50 funding match (\$10,000 maximum grant, via reimbursement) for businesses who are seeking to make storefront façade improvements or to (re-)place one on-site business sign, funded through the town's Revitalization and Economic Development Investment (REDI) fund. Second or additional signs will not be funded under this program, nor will work that does not comply with the local zoning code.

TOTAL 2022 FUNDS AVAILABLE

The Town will make available up to \$10,000 in funding through the REDI fund in 2022. This is a reimbursement program. Funding will be delivered only upon completion of the sign installation and submission of a bill from the sign company/ installer to the Town for verification. This is a competitive grant program. Applications must meet eligibility criteria in order to be fundable. If the Town receives more eligible projects than there is funding available, grant awards may be less than requested.

PROGRAM GOALS

The Business Sign Replacement Grant Program is being offered as a means to assist local businesses in funding an important element of business operation that is often overlooked or delayed by business owners due to budget priorities. In providing funding for business sign replacement, it is the intent of the Town to promote uniformity in signage so as to improve the overall appearance of the Town's business community, to meet the objectives of the Town's various master plans, and to generate business and thus improve the economy of the Town.

ELIGIBILITY

In order to qualify for funding under this program, the applicant must meet all of the following criteria:

- The new sign must be fully compliant with the Town Code, except in those instances where the existing sign to be replaced was previously rendered nonconforming through no action or fault of the applicant or business owner.
- The applicant shall be a business owner, business tenant or landowner on whose property a business is located, situated within the Town of Glenville, outside of the Village of Scotia.
- The business must be in compliance with the Town of Glenville Zoning Ordinance relative to land use. In other words, nonconforming businesses are not eligible for funding, unless the business was rendered nonconforming through no fault or action of the current owner or previous owners.
- The landowner must be current on property tax payments.
- The landowner or business owner shall not have been convicted of a violation of the New York State Building Code or the Town's Zoning Code, or convicted of a crime involving the subject business within the past three years.

APPLICATION DEADLINE

Applications for funding will be accepted through 5:00 p.m. on Friday, May 3, 2022.

PRIORITIES FOR FUNDING

This grant program is open to all businesses in the Town of Glenville, subject to the eligibility criteria noted above. If there is a great deal of competition for funding, priority will be given to businesses that meet one or more of the following criteria:

- All work must conform to the town zoning code.
- The business owner is also the property owner or has the owner's written permission.
- The contractor or sign company/installer is Town of Glenville based.
- The business is in a high visibility location on a high traffic volume road.
- A significant portion of the business's customers are "impulse stop" motorists who might not otherwise stop were it not for the business sign.

EXPIRATION OF FUNDING

All sign replacement projects must be completed and a bill submitted to the Town from the sign company/installer no later than December 31, 2022 in order for the grantee to be reimbursed for their sign project. Any work done after December 31, 2022, even if the Town has approved the project for funding, will not be eligible for reimbursement from the Town.

APPLICATION REVIEW PROCESS

Applications for funding will be reviewed by a three-person committee consisting of Town of Glenville staff from the Public Works, Planning and Building Departments. During the course of its evaluation of the application, the committee may contact the applicant in order to verify or clarify information.

BUILDING OR SIGN PERMIT

Grant recipients are still obligated to apply for a building or sign permit from the Town's Building Department prior to beginning work on the façade or sign installation.

If you have questions, or for assistance with your application, please contact Melissa Cherubino of the Town of Glenville Economic Development and Planning Department at (518) 688-1200, ext. 7 (mcherubino@townofglenville.org)



R.E.D.I.

Revitalization and Economic Development Investment

Application for Grant Funding

Please note that this is a *reimbursement* grant program, and all work must be completed by 12/31/22 in order to receive funding. The Town will reimburse you upon completion of the project, following submission of a copy of the bill from the sign company/contractor.

Name: _____ Name of your business: _____

Home address: _____ Business address: _____

Daytime phone number: _____ E-Mail address: _____

Are you the property owner? _____

If no, name and address of property owner: _____

Property owner's telephone number: _____

Amount of funding you are requesting (*you can request up to 50% of your materials, labor and installation costs, up to \$10,000*): \$ _____

Cost estimate for new sign (*upon completion of the project, you will need to submit a copy of the written bill verifying actual final cost prior to being reimbursed by the Town of Glenville*):

\$ _____

Name and telephone number of sign company/contractor: _____

Location, description and dimensions of sign you are looking to replace: _____

Information about the façade improvements or new sign (must comply with all Town codes):

Proposal: _____

Type of work or sign (i.e. wall, monument, pole): _____

Dimensions of work or sign: _____

Exterior lighting method (if any): _____

Material of proposed work, sign face and/or support structure(s): _____

Colors of proposed work, sign face, lettering and logo (if applicable): _____

Proposed location on the property: _____

Please include a diagram or rendering of any proposed new work, or any signage on a site plan with dimensions.

Note: Grant recipients are still obligated to obtain a building or sign permit from the Glenville Building Department prior to starting façade work or installation of signage.

ALL INFORMATION IS SUBJECT TO VERIFICATION

I affirm that the statements made on this application are true under penalties of perjury.

Signature of Applicant

Date

Please submit your application to:

Town of Glenville Economic Development and Planning Department
Town of Glenville Municipal Center
18 Glenridge Road
Glenville, NY 12302

Applications must be received by the Town of Glenville, either by mail or in person,
no later than 5:00 p.m. on May 3, 2022.

If you have any questions, please contact either Melissa Cherubino of the Town of Glenville Economic Development and Planning Department at 688-1200, ext. 7.

Questions may also be e-mailed to mcherubino@townofglenville.org

Façade and Sign Replacement Grant

Sponsored by: Christopher A. Koetzle, Supervisor
Submitted by: Courtney Heinel, Attorney

RESOLUTION NO. 27-2021

Moved by:
Seconded by:

WHEREAS, the Town of Glenville has recently identified an increase in sex offenders moving into the Town, and the Town has been notified of residents' increasing concern; and

WHEREAS, the safety Town residents and providing a protective environment for families to foster growth, innovation and development of young minds is one of the highest priorities of the Town of Glenville; and

WHEREAS, the Town recognizes the efforts of its citizens to educate themselves on the relevant laws and to use this information to assist in the lawful observation of these offenders in assistance to both law enforcement agencies and their neighbors; and

WHEREAS, the Town recognizes that resident input has identified the need for both short-term and long-term solutions regarding sex offenders' residence within the Town.

WHEREAS, the Town recognizes resident efforts to address their concerns regarding sex offenders residing within the Town including, signing up for offender status updates on mobile devices, collective letter-writing campaigns to State leadership, and campaigning for changes to the laws to reflect better protections for innocent, law-abiding citizens and children; and

WHEREAS, State Senator James Tedisco and Assemblywoman MaryBeth Walsh have Co-sponsored legislation (S.4891/A.5938) which would prohibit a sex offender whose victim was a child as well as, all level 3 sex offenders from knowingly being physically present within 1,000 feet of a childcare provider, preschool or any facility where pre-kindergarten or kindergarten instruction is provided.

NOW THEREFORE BE IT RESOLVED, that the Town of Glenville hereby supports Senate Bill 4891 and Assembly Bill 5938 for passage into law with the specific intent of supporting efforts toward the prevention of dangerous or threatening individuals moving into our area, especially sexual predators classified as having a high likelihood of repeating an offense against a child, that this may be the first in a series of measures taken by our State leadership, at the request of our State and local representatives, to create a culture of protection from abuse for all citizens, young and old.

Ayes:
Noes:

Absent:
Abstentions:

Motion Carried/Defeated

Town Board Decision on November 3, 2021

Sponsored by: Michael R. Godlewski, Town Councilman
Submitted by: Julie Davenport, Interim Town Clerk

RESOLUTION NO. 28 -2021

Moved by:
Seconded by:

BE IT RESOLVED, that the minutes of the Regular Town Board meeting held on October 20, 2021 are hereby approved and accepted as entered.

Ayes:
Noes:
Absent:
Abstentions:

Motion Carried/Defeated

Town Board decision on November 3, 2021