

MEETING OF THE TOWN BOARD
TOWN OF GLENVILLE
JANUARY 17, 2018
AT THE GLENVILLE MUNICIPAL CENTER
18 GLENRIDGE ROAD, GLENVILLE, NEW YORK

Supervisor Koetzle called the meeting to order at 7:00 PM;

Supervisor Koetzle asked the Town Clerk, Linda C. Neals, to call the roll.

Present: Supervisor Christopher A. Koetzle, Councilmen Michael Aragosa, Michael R. Godlewski and Councilwoman Gina M. Wierzbowski

Absent: Councilman John C. Pytlovany

Also present were Michael Cuevas, Attorney and Jason Cuthbert, Comptroller.

Town Council Reports:

Councilman Godlewski – “We didn’t have an opportunity at the Organizational Meeting to report, I know we are going back almost three (3) weeks now but I would just like to acknowledge and thank town staff as well as elected officials who participated in the mad rush to accommodate town residents during the time period when we were collecting the 2018 taxes during 2017 in response to the new federal tax legislation. I thought it was a great effort, it shows how everybody can come together under certain circumstances. I just happened to be a part of that, I came in on Saturday, and I know the Deputy Supervisor and the Supervisor were there. The residents came in and they were met by their town officials. It was a good thing and I happened to be a part of it. So thanks to the assessor, deputy receiver of taxes and the receiver of taxes.”

Councilwoman Wierzbowski – “I would like to let everyone know that our Town Court was again successful in their application for grant money through the Justice Court Assistance Program or JCAP. They have been applying and receiving grant money for many consecutive years now. They applied and received grant money in the amount \$15,912.50 going towards interior renovations and repairs, improvements to the doors and outdoor lighting. I would like to thank both Joelle and Gretchen for all of their hard work. Some of these things would never happen without their perseverance and ability to write a good grant.”

Councilman Aragosa – “I was fortunate to be invited to the West Glenville Fire Department’s installation dinner on Saturday night, Chris was also there. I want to thank them for inviting us, it was a nice event. They have a lot of nice things going on up there.”

The following people exercised the privilege of the floor:

Peter Bardunias, Chamber of Southern Saratoga County – He just stopped by to wish their neighbors here good luck and to also hear the Supervisor’s State of the Town. He also shared some of the things that they are currently working on and would like to do more to support their friends in the neighboring communities. One of the things that they are working on is every couple of years the Chamber pays for pages in the “Cruising Guide”. This is going to be the first year that they are not only in the Light House and Mohawk Valley Marina will be in it but also the hotel. That is one of the very few places that you can actually access the hotel from the river in eastern New York State along the canal. They are very excited about that and they had a mixer last fall in Glenville at the Light House. They are very excited to work alongside of their friends in Glenville.

Supervisor Koetzle – “We appreciate your partnership and including us in the southern Saratoga Region.”

Lisa Gerardi, 21 Sandstone Drive – Ms. Gerardi was representing all of her neighbors. She stated that for four (4) years her neighbors have been complaining and concerned about the deplorable condition of our road. She stated that they are falling apart. She stated that a petition was submitted last June and that there has been no follow-up. She stated that during the past four years they have been told that there are water drainage issues and that they have to be fixed before the roads can be paved.

Vicki Andrews, 16 Brookside Court - Mr. and Mrs. Andrews came to the town in May about their neighboring property with violations. They asked what the status is on their complaint. In July they were told to move the stuff...

Supervisor Koetzle – “They were told to move that stuff. They were issued a notice of violation. They have to come to court now and answer to that ticket. I think it is on for tomorrow night.”

Supervisor Koetzle gave his “2018 State of the Town”

Supervisor Koetzle moved ahead with the agenda items.

RESOLUTION NO. 51-2018

Moved by: Councilwoman Wierzbowski

Seconded by: Councilman Aragosa

WHEREAS, a Member of the Town Board of the Town of Glenville is introducing a Local Law to amend Chapter 255, “Vehicle and Traffic” of the Code of the Town of Glenville; 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, February 7, 2018 at 7:00 P.M., or as soon thereafter as possible, at which time it will hear all persons interested in the proposed local law to amend Chapter 255, “Vehicle and Traffic” chapter of the Code of the Town of Glenville; and

BE IT FURTHER RESOLVED that the Town Clerk be and she is hereby authorized and directed to prepare the proper public notice of said hearing in accordance with law, as follows:

§ 255-4 – Yield Intersections.

ADD:

The following intersections are hereby designated as yield intersections, and yield signs shall be erected on entrances thereto as indicated:

Name of Street	Yield Sign on	Entrance(s)
Socha Lane	Marilyn Drive	North

§ 255-6 F – Stopping of Vehicles.

ADD:

The stopping of vehicles is hereby prohibited in any of the following locations and No Standing Any Time signs shall be erected thereto as indicated:

Name of Street	Side	Location
Viele Road	both	620 feet from Vley Road to its terminus
Viele Road	South	50 feet at the end of Viele Road

§ 255-7 – Truck Exclusions.

A. General weight exclusions.

(1) All trucks, tractors, tractor-trailers and commercial vehicles with a maximum gross weight of vehicle and load capacity in excess of four tons are hereby excluded from the following highways within this Town:

ADD:

Name of Street	Location
Church Road	Between its intersection with Sacandaga Road and its intersection with Ridge Road
Closson Road	Between its intersection with Sacandaga Road and its intersection with Ridge Road
Gower Road	Between its intersection with Amsterdam Road and its intersection with Sanders Road
Johnson Road	Between its intersection with Amsterdam Road and its intersection with West Glenville Road
Rector Road	Between its intersection with Amsterdam Road and its intersection with Ridge Road
Ridge Road	Between its intersection with Sacandaga Road and its intersection with West Glenville Road
Sanders Road	Between its intersection with Ridge Road and its intersection with Washout Road
Washout Road	Between its intersection with Amsterdam Road and its intersection with Ridge Road
Waters Road	Between its intersection with Amsterdam Road and its intersection with West Glenville Road

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 10 days prior to the date of the public hearing.

Ayes: Councilmen Aragosa, Godlewski, Councilwoman Wierzbowski and Supervisor Koetzle
Noes: None
Absent: Councilman Pytlovany
Abstentions: None

Motion Carried

Sponsored by: Michael R. Godlewski, Town Councilman
Submitted by: Linda C. Neals, Town Clerk

RESOLUTION NO. 52-2018

Moved by: Councilman Godlewski
Seconded by: Councilwoman Wierzbowski

BE IT RESOLVED that the **Monthly Departmental Reports** for December, 2017 as received from the following:

- Assessors Department
- Economic Development & Planning Department
- Justice Department
- Receiver of Taxes
- Town Clerk's Office

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

Ayes: Councilmen Aragosa, Godlewski, Councilwoman Wierzbowski and Supervisor Koetzle
Noes: None
Absent: Councilman Pytlovany
Abstentions: None

Motion Carried

RESOLUTION NO. 53-2018

Moved by: Councilman Aragosa
Seconded by: Councilwoman Wierzbowski

WHEREAS, the Town of Glenville's Electricity Purchase Agreement has recently expired; and

WHEREAS, the Town of Glenville's energy consultant has solicited competitive bids for the Town's electricity needs ranging from 12 to 36 month periods, said bids being returnable at specified periods throughout the bidding period, and

WHEREAS, the Town currently pays \$0.06375 per kilowatt-hour; and

WHEREAS, due to the fluid and sometimes volatile nature of the electricity market, bids must be accepted as soon after made as possible; and

WHEREAS, the Town's energy consultant recommends that the Town Board authorize the Supervisor to accept the bid from Constellation New Energy of \$0.0491 per kilowatt-hour for a period of 21 months commencing in February 2018;

NOW THEREFORE, BE IT RESOLVED that the Town Board of the Town of Glenville hereby authorizes the Supervisor to enter into a contract with Constellation New Energy for Town electricity at a rate of \$0.0491 per kilowatt-hour for a period of 21 months.

Ayes: Councilmen Aragosa, Godlewski, Councilwoman Wierzbowski and Supervisor Koetzle
Noes: None
Absent: Councilman Pytlovany
Abstention: None

Motion Carried

New Business

Councilman Godlewski – "I haven't had an opportunity but going back to the organizational meeting, there was an incident where we had a number of items laid out as consent agenda items and it kind of caught me off guard. We were looking, as individuals, to pull resolutions off the consent items and ask for a roll call vote. It went through the Attorney and he said it required a majority vote to pull something off of the consent items. If I misinterpreted your interpretation Mike just let me know. This is something I primarily looked into and I would first ask, if I may, has the Glenville Town Board, is there anything, through resolution or any other means, ever adopted any form of procedure such as parliamentary procedure for how the meeting is run?"

Mike Cuevas, Attorney for the Town – "There are opinions of the Attorney General and state comptroller that, it's not automatically Roberts Rules but even if you look at Roberts Rules that there is the custom in practice position. The Board in at least

eight years with respect to handling the resolutions at their Organizational Meeting have entertained motions to consider one vote of like resolutions, that's what that resolution was."

Councilman Godlewski - "I guess I understand kind of where you are going with that. My concern based on the research that I've done is that specifically looking at Roberts, looking at other governing bodies specific to House of Representatives, United States Senate, NYC Council, all of them enable one member to pull a specific resolution from a consent agenda item. NYS Senate is a little different, there is a non-controversial list and that requires eight members in a unique way at this point and time. It's concerning to both myself and during conversations with Councilman Aragosa that it leads to a majority/minority situation we are unable to specifically pull an item from a vote and ask for a role call on something where essentially ceding that power to the majority and I don't necessarily think that is fair or appropriate and I don't think that goes to the spirit of the law. I understand the Town Attorney saying the accepted practice is for taking a vote on a consent item but it doesn't sound like this has ever been an issue where there is a laid out practice as to how a member pulls an item off. I know in our conversations, Mr. Supervisor, it's probably not going to be an issue but for the organizational meeting, but it is something that I wonder if it's worth addressing either through a resolution, laying out specific parliamentary procedure. I know different local town boards have an adopt rule and then a fall back will lay out Roberts Rule of Order, but as for a specific rule of pulling one resolution off a consent agenda.

What I would do is at this time is make a motion that we adopt tonight a resolution where by it is just required of one member to pull a consent agenda item off of the agenda and then have a roll call vote. Councilman Aragosa seconded the motion.

Supervisor Koetzle – "I can tell you already had your discussion. We have never operated that way even when I was in the minority when the Democrats had the majority. The Town Clerk is backing me up on that. We have always operated that way.

Again, I think we have talked Councilman Godlewski that we would like to have careful thought and consideration. You have done your research and we appreciate that but I think this is a work session agenda item to have a discussion on this. But we do have a motion and a second.

Ayes: Councilmen Aragosa and Godlewski

Councilwoman Wierzbowski – "I am going to be voting no and I'd like to explain my vote. I feel very strongly that the best practices of this Board over the past eight years I've been involved with is not to make hasty decisions with regard to any town business. I have no issue, necessarily with what Councilman Godlewski is suggesting however I do think since Councilman Pytlovany is not here it would be inappropriate at the very least to pass a resolution he has not even been consulted about so I would have to agree with Supervisor Koetzle in that continuing with yet another past practice of this board we do continue with discussing and vetting ideas for either good government or ideas for the town to consider, budgetary things and policy changes in a work session as we have done for the past eight years.

Supervisor Koetzle – "For the record I want to concur with that. Councilman Godlewski we have talked about, I do think we need to have thoughtful debate discussion which is a strong tradition of this board and Sid Ramotar and Dave Hennel both members of the past boards will tell you it has always been worked out in careful debate. The resolution fails so we will put it on the work session and have discussion at that time."

Noes: Councilwoman Wierzbowski and Supervisor Koetzle
Absent: Councilman Pytlovany
Abstentions: None

Councilman Aragosa – "I had a meeting today with Dana, Supervisor Koetzle and Jason talking about the sewer rates. Currently we are three years behind on a contract with the City of Schenectady. This is something I am going to try to move

forward with the City and try to get that resolved.”

Supervisor Koetzle asked for a motion to adjourn; motion to adjourn;
Moved by Councilman Godlewski; Seconded by Councilwoman Wierzbowski, everyone
being in favor the meeting was adjourned at 7:55 PM.

ATTEST:

Linda C. Neals
Town Clerk