MEETING OF THE TOWN BOARD TOWN OF GLENVILLE JULY 17, 2019 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 John C. Pytlovany, Michael

Aragosa, Michael R. Godlewski and Councilwoman Gina M. Wierzbowski

Absent: None

Also present were Jason Cuthbert, Comptroller and Vicki Hillis, Director of Human Services

Supervisor Koetzle – "We are going to be pulling two (2) of the add on resolutions. Add On 1 – authorizing an agreement with the Village of Scotia to provide fire protection and emergency medical services to Fire District No. 4. The public hearing will be held this evening. It has been the board's long standing practice to wait the 30 days after the public hearing to act. So I anticipate acting on this at our August 21st meeting. We just want to make sure we are giving everybody ample time to be heard on this.

Add On 6 – issuing a negative declaration for the Dutch Meadows Lane project will be pulled. We will take that u on the 21st of August with the actual PDD.

Town Council Reports:

Councilman Godlewski – "The Parks Committee met during the month of June. There were three dedicated, very eager Eagle Scouts that will be contributing to the park. One is proposing parks, he is proposing to build a dodge ball/four square court. Another one is talking about the Sanders Preserve and looking to do better markers and the last Eagle Scout is going to be doing a walking bridge over by the school headed toward the dog park from Indian Meadows where the pallets currently are. It's awesome that we have some great Eagle Scout projects in the parks already.

Nest Thursday, the 25th at 6:30 PM there is a joint act between the Glenville Rotary and the Scotia Rotary to do a trail clean-up over at the Anderson Dog Park

The Zoning Revision Committee met, as Supervisor Koetzle mentioned there is a Freemans Bridge Overlay District is on the agenda, we continue our work going methodically through the Code updating and tweaks where necessary.

I would like to give my sentiments, my condolences to the Buhrmaster Family. "

Councilwoman Wierzbowski – "Two weeks ago I attended the Fire Chiefs Association meeting. They will be taking a break for the rest of the summer. It was a good productive meeting. We had a little cookout up at the beautiful West Glenville Fire Department. We had a little cook out so it was a really nice change from the usual inside venue. We have started a collaborative effort with the departments in the Town to track these medical calls. That includes all the fire departments including the Village of Scotia. Just to track response times and any kind of issues that may come up with Mohawk Ambulance who does serve us so we can take a look at data. They have long said that they have issues and we have finally come up with a way that is not too cumbersome for them to record all calls not just where they think there is an issue. I'm not sure how long we will be studying that data for but I would expect sometime within the next eight months we will be taking a look at all of the data we collected and try to see if there is any trend that we need to address. So we will keep the Board advised of that process.

I also echo Councilman Godlewski's sentiments regarding Jim Buhrmaster. Jim was a good friend. When I first considered running for office he actually sat down with me and we actually had a really nice conversation about that and how to run a nice clean campaign. He was always a very kind and generous and gentle man. I think this community will miss him very much as will I so I condolences to his family. It was a great loss."

Councilman Pytlovany – "I attended the Traffic Safety Meeting this afternoon. We had some emails from residents on Charlton Road concerned about the intersection of Charlton and Droms Road, speeding vehicles on Fredericks Road and also speeding traffic on Barhydt Road. We will set up some traffic counters, we will us the speed trailer and do some selective enforcement in those areas. We may have a recommendation to the Board after looking at the data from those locations.

It was certainly a shock to me to find out Jim had passed away. I've known Jim a lot of years and mostly outside of politics. Jim and I were both in Scotia Rotary for many years together. He was a great person to the community and to his family. We are all going to miss him."

Councilman Aragosa – "I met with Tom Coppola and Mike last week at the highway garage. They received their new roadside mower. It's not fully in use yet. It will be up and running soon. They are working on a lot of different projects throughout the town. Trying to get ready for paving.

My condolences to the Buhrmaster family. He will be missed. He was a good man."

Supervisor Koetzle – "Item No. 5 on the agenda is a public hearing with respect to the proposed contract with the Village of Scotia to provide fire protection and emergency medical services to the Town of Glenville Fire District No.4."

Supervisor Koetzle opened the public hearing at 7:11 PM.

No one wished to speak; Supervisor closed the public hearing at 7:12 PM.

Supervisor Koetzle – Item No. 6 on the agenda is a public hearing regarding a proposed extension to Sewer District No. 9 for property located at 122 Maple Avenue, Glenville. NY."

Supervisor Koetzle opened the public hearing at 7:13 PM.

No one wished to speak; Supervisor closed the public hearing at 7:14 PM.

No on wished to exercise the privilege of the floor.

Supervisor Koetzle shared the following information:

We finally had our pre-construction meeting for the Glenridge Road sidewalk. That project is going to happen after 3 years. We anticipate a late start day of late July or early August. It is set to go. All permits have been issued. Another piece of our sidewalk in place.

I was able to take one of the maiden voyages on Beukendaal's new fire boat which Senator Tedisco secured a \$200,000 grant for. It's an impressive boat. They showed us how everything works. There are so many things they can do with it. They got it up to 43 mph. It's great to have this asset in the Town of Glenville.

I did have a meeting last night with the UCC oversight committee. We did approve the budget, which is increased by 1.95%. Just a few particular things in it to keep your eye on. The County has changed on how they are presenting the budget, they decided for the first year to add a county administrative fee of \$172,000 but they failed to

give any back up as to what that includes or what it pays for. They just say that is what it costs them to admin the UCC. They also added for the first time ever a charge of rent \$114,000 a year into the budget. When I pressed them on that they said well we pay the rent we just want to reflect it so they put back in the revenue line, revenue from the county to cover this admin fee, that came out of nowhere and rent which is part of the agreement that we made with UCC was that the county would pay rent for the facility. So they claim they just want to reflect truly what they are putting into it and so it's budgeted neutral that they added revenue on a revenue line. I just caution folks, whatever people link, they can unlink. They can disappear one day but the expenses stay. Just be cautious. They are up on their employees, as you know they had around 36 or 37 for a while, they are at 43. The full complement is 47 in the budget, they do anticipate two more in August so they are getting there, which is good news for the folks in the County.

Lastly CFA's are due the end of the month. We have been working very on the CFA's. We have two on the agenda tonight that need a resolution. The other ones don't need resolutions. We can go over the sidewalk one when we get to it because there is some cost share breakout that we are going to propose to the other municipalities. The other CFA's going in that do not need a resolution are Yates Mansion, Maalwyck Boat Launch, which is defined at \$200,000 with a 50% match, the Veteran's Park that concept is being flushed out so they don't have the exact budget on that yet. So those are the four areas we are going in for CFA's on."

Supervisor Koetzle moved ahead with the agenda.

RESOLUTION NO. 123-2019

Moved by: Councilwoman Wierzbowski **Seconded by:** Councilman Pytlovany

WHEREAS, by Resolution No. 117-86, The Town Board of the Town of Glenville agreed to accept a deed to the roads in the Industrial Park, including a road known as E Street which runs within the Scotia-Glenville Business and Technology Park; and

WHEREAS, a Quitclaim Deed was made and filed in the Schenectady County Clerk's office on April 8, 1988 at Book 1181, Page 56 conveying certain roadways from the Schenectady County Industrial Development Agency to the Town of Glenville; and

WHEREAS, Specialty Quality Packaging, Inc. ("SQP") the owner of the real property adjoining both sides of E Street between Buildings 502 and 602 desires and requests that the Town convey its interest in that portion E Street between those two buildings, to the adjoining property owner: Specialty Quality Packaging and a petition requesting same has been received by the Highway Superintendent and filed with the Town Clerk; and

WHEREAS, the Town Highway Superintendent joins in the request as the transfer will remove a dead end street from the town's road inventory and reduce maintenance costs for the Town for a roadway that serves no useful purpose to the Town; and

WHEREAS, SQP will assume all responsibility for the cost of relocation and reconstruction of a town sewer main located in such roadway with an access manhole and the abandonment of a water main also located therein, all in conformity with the designs and plans approved by the Commissioner of Public Works; and

WHEREAS, the Town Board wishes to hold a public hearing with respect to the conveyance of said portion of E Street in the town;

NOW, THEREFORE, BE IT RESOLVED, that a public hearing be held by the Town Board of the Town of Glenville with respect to the abandonment and conveyance of the portion of E Street between 502 and 602 Potential Parkway to Specialty Quality Packaging, Inc. at 7:00 PM on August 21, 2019, 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: Councilmen Pytlovany, Aragosa, Godlewski, Councilwoman Wierzbowski

and Supervisor Koetzle

Noes: None Absent: None

Abstentions: None

Motion Carried

RESOLUTION NO. 124-2019

Moved by: Councilwoman Wierzbowski **Seconded by:** Councilman Pytlovany

WHEREAS, pursuant to Section 2019-a of the Uniform Justice Act, the Town Board of the Town of Glenville is required to examine the records and docket of the Town Justice Court, or cause same to be examined and a report thereon submitted to the Board, and to enter in the minutes of its proceeding the fact that they have been duly examined and that the Fines therein collected have been turned over to the proper officials of the Town; and

WHEREAS, the records of the Town Justice Court for the Town of Glenville for the year January 1, 2018 through December 31, 2018 have been audited pursuant to Section 2019-a of the Uniform Justice Court Act;

NOW, THEREFORE, BE IT RESOLVED, that upon review of the aforesaid audit, the Town Board of the Town of Glenville hereby accepts said audit report and finds and determines that the fines collected by the Town Justice Court during calendar year 2018 have been turned over to the proper officials of the Town, as required by law; and

BE IT FURTHER RESOLVED that said audit report, together with a copy of this Resolution, shall be filed with the New York State Office of Court Administration.

Ayes: Councilmen Pytlovany, Aragosa, Godlewski, Councilwoman Wierzbowski

and Supervisor Koetzle

Noes: None Absent: None

Abstentions: None

Motion Carried

RESOLUTION NO. 125-2019

Moved by: Councilwoman Wierzbowski **Seconded by:** Councilman Pytlovany

WHEREAS, there are accounts as described and funded in the 2019 Adopted Budget which are anticipated to exceed budgeted appropriations; and

WHEREAS, there are sufficient funds within the 2019 Adopted Budget to fund these accounts without appropriation of additional fund balance;

NOW, THEREFORE, BE IT RESOLVED, that the Glenville Town Board hereby authorizes the following 2019 budget amendments:

TOWN GENERAL FUND

Increase Appropriation Codes

AA-000-1620-1002 - Buildings & Grounds-Straight Rate Overtime, by \$2,000

AA-000-1680-2000 – Central Data Processing-Equipment, by \$2,000

AA-000-1680-4000 - Central Data Processing-Contractual, by \$20,000

AA-000-6989-4500 - Economic Development-Fees for Services, by \$32,000

AA-000-7110-1003 – Parks-Overtime, by \$3,000

AA-000-7110-4000 - Parks-Contractual, by \$1,000

AA-000-7110-4500 – Parks-Fees for Services, by \$44,000

AA-000-7510-4250 – Historian-Phones & Internet, by \$1,800

AA-000-7520-4477 – Historical Properties-Rental Equipment, by \$3,000

AA-000-7520-4500 – Historical Properties-Fees for Services, by \$30,000

AA-000-7610-2000 – Senior Center-Equipment, by \$10,000

Total Increases to AA Appropriation Codes = \$148,800

Decrease Appropriation Codes

AA-000-1990-4600 – Contingent Account-Miscellaneous, by \$25,000

AA-000-3510-1009 - Control of Animals-Health Insurance Waiver, by \$2,000

AA-000-5132-2000 - Highway Garage-Equipment, by \$8,000

AA-000-5132-4100 - Highway Garage-Supplies & Materials, by \$4,000

AA-000-5132-4109 – Highway Garage-Renovations, by \$7,000

AA-000-5132-4200 - Highway Garage-Utilities, by \$28,500

AA-000-5132-4250 - Highway Garage-Phones & Internet, by \$4,000

AA-000-5132-4500 – Highway Garage-Fees for Services, by \$7,500

Total Decreases to AA Appropriation Codes = \$86,000

Increase Revenue Codes

AA-000-2401 – Interest Earnings, by \$11,000

AA-000-2410 – Rental of Property, by \$24,000

AA-000-2610 - Court Fines, by \$13,000

AA-000-2701 – Refund of Prior Year Expense, by \$6,800

AA-000-2705 – Gifts & Donations, by \$4,200

AA-000-2706 - Grants from Local Governments, by \$1,500

AA-000-3089 – State Aid-Other, by \$2,300

Total Increases to AA Revenue Codes = \$62,800

TOWN OUTSIDE THE VILLAGE FUND

Increase Appropriation Codes

BB-000-1440-4400 – Engineer-Contract Engineer, by \$12,000

BB-000-1620-4000 – Buildings & Grounds-Contractual, by \$1,500

BB-000-1680-2000 – Central Data Processing-Equipment, by \$3,500

BB-000-1680-4000 – Central Data Processing-Contractual, by \$8,900

BB-000-1680-4100 – Central Data Processing-Supplies, by \$500

BB-000-1680-4433 - Central Data Processing-Maintenance Contract, by \$12,000

BB-000-3120-1001 - Police-Wages Part-Time, by \$11,100

BB-000-3120-1012 - Police-Accrued Time Cash Out, by \$72,200

BB-000-3120-2000 - Police-Equipment, by \$22,000

BB-000-3620-1012 - Safety & Building Inspection-Accrued Time Cash Out, by \$34,100

BB-000-8021-1002 - Planning-Straight Rate Overtime, by \$1,000

BB-000-8021-1012 - Planning-Accrued Time Cash Out, by \$45,200

BB-000-8160-4192 - Recycling/Bulk Item Pickup, by \$20,000

BB-000-9950-9000 - Transfer to Capital Projects, by \$4,400

Total Increases to BB Appropriation Codes = \$248,400

Decrease Appropriation Codes

BB-000-1990-4600 - Contingent Account-Miscellaneous, by \$115,000

BB-000-3120-1000 - Police-Wages Full-Time, by \$35,000

BB-000-3620-1006 - Safety & Building Inspection-Longevity, by \$2,500

BB-000-3620-1009 - Safety & Building Inspection-Health Insurance Waiver, by \$6,000

BB-000-8021-1000 - Planning-Wages Full-Time, by \$21,700

BB-000-8021-1006 - Planning-Longevity, by \$2,200

Total Decreases to BB Appropriation Codes = \$182,400

Increase Revenue Codes

BB-000-2118 - Contract Engineer, by \$12,000

BB-000-2401 – Interest Earnings, by \$12,000

BB-000-2545 - Licenses-Other, by \$2,000

BB-000-2680 – Insurance Recovery, by \$25,400

BB-000-2701 – Refund of Prior Year Expense, by \$11,600

BB-000-2705 – Gifts & Donations, by \$3,000

Total Increases to BB Revenue Codes = \$66,000

HIGHWAY FUND

Increase Appropriation Codes

DB-000-5110-1003 - General Repairs-Overtime, by \$9,000

DB-000-5110-4122 – General Repairs-Small Tools, by \$2,000 DB-000-5110-4140 – General Repairs-Oil/Trailer/Paver, by \$36,000 DB-000-5110-4141 – General Repairs-Stone/Gravel/Etc, by \$10,000

DB-000-5112-2200 - CHIPS, by \$10,006

DB-000-5112-2201 – Extreme Winter Recovery, by \$509

DB-000-5112-2202 - PAVE NY, by \$991

DB-000-5130-1003 – Machinery-Overtime, by \$2,000

DB-000-5130-4128 - Machinery-Repair Parts, by \$5,000

DB-000-5130-4500 - Machinery-Fees for Services, by \$5,000

DB-000-5132-2000 - Highway Garage-Equipment, by \$8,000

DB-000-5132-4100 - Highway Garage-Supplies & Materials, by \$4,000

DB-000-5132-4109 - Highway Garage-Renovations, by \$7,000

DB-000-5132-4200 - Highway Garage-Utilities, by \$28,500

DB-000-5132-4250 - Highway Garage-Phones & Internet, by \$4,000

DB-000-5132-4500 - Highway Garage-Fees for Services, by \$7,500

DB-000-5142-1002 - Snow Removal-Straight Rate Overtime, by \$6,400

DB-000-5142-1003 - Snow Removal-Overtime, by \$7,000

DB-000-5142-1005 - Snow Removal-Out of Title, by \$2,000

DB-000-5142-4100 – Snow Removal-Supplies & Materials, by \$500

DB-000-5410-4000 - Sidewalks-Contractual, by \$194,000

DB-000-5410-4500 – Sidewalks-Fees for Services, by \$2,000

DB-000-9950-9000 - Transfer to Capital Projects, by \$26,400

Total Increases to DB Appropriation Codes = \$377,806

Decrease Appropriation Codes

DB-000-1990-4600 - Contingent Account-Miscellaneous, by \$61,000

DB-000-5110-4477 - General Repairs-Rental Equipment, by \$10,000

DB-000-5130-2000 – Machinery-Equipment, by \$9,000

Total Decreases to DB Appropriation Codes = \$80,000

Increase Revenue Codes

DB-000-2330 – Services-Other Governments, by \$3,300

DB-000-2401 – Interest Earnings, by \$6,000

DB-000-2665 - Sale of Equipment, by \$30,000

DB-000-2701 - Refund of Prior Year Expense, by \$27,000

DB-000-3501 - State Aid-CHIPS, by \$10,006

DB-000-3589 – State Aid-Other Transportation, by \$220,000

DB-000-3597 – State Aid-Extreme Winter Recovery, by \$509 DB-000-3598 – State Aid-PAVE NY, by \$991

Total Increases to DB Revenue Codes = \$297,806

SEWER FUND

Increase Appropriation Codes

SS-001-8130-2000 - District 1, Equipment, by \$2,500

SS-001-8130-4100 – District 1, Supplies & Materials, by \$300

SS-001-8130-4500 – District 1, Fees for Services, by \$1,200

Total Increases to SS-001 Appropriation Codes = \$4,000

Decrease Appropriation Codes

SS-001-1990-4600 – District 1, Miscellaneous, by \$1,000

SS-001-8130-4126 - District 1, Chemicals, by \$1,500

Total Decreases to SS-001 Appropriation Codes = \$2,500

Increase Revenue Code

SS-001-2401 – District 1, Interest Earnings, by \$1,500

Increase Appropriation Codes

SS-002-8130-2000 - District 2, Equipment, by \$5,000

SS-002-8130-4100 - District 2, Supplies & Materials, by \$500

Total Increases to SS-002 Appropriation Codes = \$5,500

Decrease Appropriation Codes

SS-002-1990-4600 - District 2, Miscellaneous, by \$1,000

SS-002-8130-4005 - District 2, Contractual-Intradepartmental, by \$2,700

SS-002-8130-4126 - District 2, Chemicals, by \$1,200

Total Decreases to SS-002 Appropriation Codes = \$4,900

Increase Revenue Code

SS-002-2401 – District 2, Interest Earnings, by \$600

Increase Appropriation Codes

SS-009-1930-4700 - District 9, Judgements & Claims, by \$1,400

SS-009-8130-1012 – District 9, Accrued Time Cash Out, by \$4,800

SS-009-8130-4100 - District 9, Supplies & Materials, by \$3,000

Total Increases to SS-009 Appropriation Codes = \$9,200

Decrease Appropriation Codes

SS-009-8130-1000 – District 9, Wages Full-Time, by \$6,700

SS-009-8130-1006 – District 9, Longevity, by \$2,500

Total Decreases to SS-009 Appropriation Codes = \$9,200

Increase Revenue Codes

SS-009-2401 – District 9, Interest Earnings, by \$1,200

SS-009-2701 – District 9, Refund of Prior Year Expense, by \$1,500

Total Increases to SS-009 Revenue Codes = \$2,700

<u>Decrease Revenue Code</u>

SS-009-2803 – District 9, Intrafund Revenues, by \$2,700

WATER FUND

Increase Appropriation Codes

SW-011-8310-4000 – District 11, Administration-Contractual, by \$3,000

SW-011-8330-1002 – District 11, Purification-Straight Rate Overtime, by \$2,500

SW-011-8330-4100 - District 11, Purification-Supplies & Materials, by \$3,200

SW-011-8340-1009 - District 11, Transmission-Health Insurance Waiver, by \$2,000

SW-011-8340-1012 – District 11, Transmission-Accrued Time Cash Out, by \$38,300 SW-011-8340-4000 – District 11, Transmission-Contractual, by \$2,500 SW-011-8340-4500 – District 11, Transmission-Fees for Services, by \$2,000

SW-011-9950-9000 – District 11, Transfer to Capital Projects, by \$23,000 Total Increases to SW-011 Appropriation Codes = \$76,500

Decrease Appropriation Codes

SW-011-1990-4600 – District 11, Miscellaneous, by \$51,000

SW-011-8340-1000 - District 11, Transmission-Wages Full-Time, by \$7,900

Total Decreases to SW-011 Appropriation Codes = \$58,900

Increase Revenue Codes

SW-011-2144 – District 11, Water Service Charges, by \$3,000

SW-011-2401 – District 11, Interest Earnings, by \$5,000

SW-011-2701 – District 11, Refund of Prior Year Expense, by \$9,600

Total Increases to SW-011 Revenue Codes = \$17,600

Ayes: Councilmen Pytlovany, Aragosa, Godlewski, Councilwoman Wierzbowski

and Supervisor Koetzle

Noes: None Absent: None

Abstentions: None

Motion Carried

RESOLUTION NO. 126-2019

Moved by: Councilman Godlewski **Seconded by:** Councilman Aragosa

WHEREAS, a Petition and Notice to Review the Assessment for taxation for the tax roll years 2016, 2017 and 2019 of the real estate owned by Renmo Scotia Enterprises, Inc., commonly known as 265 Mohawk Avenue, Scotia, New York (S/B/L # 38.35.-3-149) was duly served upon the Assessor each July in the years 2016, 2017 and 2019 respectively; and

WHEREAS, the Town, through its attorney and the Assessor have thoroughly reviewed this matter, including obtaining an independent appraisal of the property, review of the petitioner's appraisal and preparation for trial; and

WHEREAS, as the parties have participated in pre-trial conferences in this action in Supreme Court, Schenectady County, after which they reached a stipulation of compromise and settlement of their differences as follows:

That the proceedings for tax roll years 2016, 2017 and 2019 in relation to the subject parcel of real property shall be discontinued and the proceedings for the tax roll years, 2016, 2017 and 2019 shall be settled on the following terms and conditions:

- This settlement is made in resolution of all past and present claims or proceedings with respect to the subject property's real property tax assessment;
- 2. Approval of this settlement and all required authorizations and enactments by the necessary parties shall be made in good faith and as expeditiously as possible;
- 3. Pursuant to Real Property Tax Law section 727, the proceedings for the subject tax roll years shall be settled by establishing the assessment of the 265 Mohawk Avenue property at the revised assessed values as follows:

2016	\$130,000	(from \$167,500)	Reduction of \$37,500
2017	\$125,000	(from \$167,500)	Reduction of \$42,500
2018	\$120,000	(from \$167,500)	Reduction of \$47,500
2019	\$110,000	(from \$167,500)	Reduction of \$57,500

- 4. That the Comptroller is authorized to calculate the amount of any refund for 2017 -2019 Town, Highway and Special District taxes already paid, if any, and to pay same over to the property owner, without interest, upon receipt of a fully executed Order with Notice of Entry. The Scotia Glenville School District shall calculate the amount of any refund for taxes already paid for the 2016-17, 2017-18 and 2018-19 school tax years and pay same over to the property owner, without interest so long as same are paid within 60 days of receipt of a signed Order and Judgement with Notice of Entry.
- 5. All other provisions of the RPTL section 727, including RPTL 727 (2) shall apply to this settlement. That is, the property owner agrees not to bring another tax certiorari proceeding with respect to this property for the three years following the affected tax year unless the improvements on the property shall be destroyed, demolished or removed and the Assessor agrees to maintain the assessment based upon the revised assessed value for 2019 (as stated above) for those three years unless required by additions, alterations or capital improvements or in the event of a revaluation.
- 6. In consideration hereof, the tax certiorari proceedings brought by the taxpayer shall be discontinued on the merits with prejudice and without costs to either party or against the other.
- 7. The parties agree that the Consent Order is entered into for good and valuable consideration, that it is the entire agreement of the parties, that it is made to resolve this litigation and shall not be offered in any other proceeding by any party as competent evidence of any fact, that the Consent Order may be filed in the office of the Schenectady County Clerk and an Order may be entered, based upon the Stipulation by either party on notice to the other.

WHEREAS, it appears to be in the best interests of the Town to settle said matter as recommended by the Attorney for the Town and the Assessor without further attendant legal and appraisal costs; and

WHEREAS, the property is located in the Scotia-Glenville School District, and the District has not opposed the proposed settlement;

NOW THEREFORE, BE IT RESOLVED that the Town Board of the Town of Glenville hereby authorizes the Attorney for the Town to enter into a Consent Order and Judgment with Renmo Scotia Enterprises, Inc. for the settlement of the tax certiorari proceedings brought relative to the property known as 265 Mohawk Avenue (S/B/L # 38.35.-3-149) under the terms outlined above.

Ayes: Councilmen Pytlovany, Aragosa, Godlewski, Councilwoman Wierzbowski

and Supervisor Koetzle

Noes: None Absent: None

Abstention: None

Motion Carried

RESOLUTION NO. 127-2019

Moved by: Councilman Aragosa

Seconded by: Councilman Godlewski

BE IT RESOLVED that the **Monthly Departmental Reports** for June, 2019 as received from the following:

Assessors Department

Economic Development & Planning Department

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

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

Ayes: Councilmen Pytlovany, Aragosa, Godlewski, Councilwoman Wierzbowski

and Supervisor Koetzle

Noes: None Absent: None

Abstentions: None

Motion Carried

RESOLUTION NO. 128-219

Moved by: Councilman Godlewski **Seconded by:** Councilman Aragosa

BE IT RESOLVED, that the minutes of the Regular meetings held on May 1, 2019 are hereby approved and accepted as entered.

Ayes: Councilmen Pytlovany, Aragosa, Godlewski, Councilwoman Wierzbowski

and Supervisor Koetzle

Noes: None Absent: None

Abstentions: None

Motion Carried

RESOLUTION NO. 129-2019

Moved by: Councilman Godlewski **Seconded by:** Councilman Aragosa

BE IT RESOLVED, that the minutes of the Regular meetings held on May 15, 2019 and the Special meeting held on June 12, 2019 are hereby approved and accepted as entered.

Ayes: Councilmen Aragosa, Godlewski, Councilwoman Wierzbowski and

Supervisor Koetzle

Noes: None

Absent: Councilman Pytlovany

Abstentions: None

Motion Carried

Discussion...

Supervisor Koetzle – "As you all know we received a grant, a couple years ago, for a study to map out a pedestrian trail throughout the entire Town of Glenville. This is the study that would help us link all of the different pieces that we put into place, as we speak. This is a grant for \$59,000, the proposal from Behan Planning and Design is \$59,906. This will allow us to hire them. We did have seven (7) qualified firms submit. We did have a process of which staff went through and ranked them all. In the rankings, Behan Planning and Design was deemed to be the most qualified respondent to assist us with the completion of the Greenway Strategic Development Plan."

RESOLUTION NO. 130-2019

RESOLUTION AUTHORIZING THE SUPERVISOR TO ENTER A PROFESSIONAL

SERVICES AGREEMENT WITH BEHAN PLANNING AND DESIGN TO COMPLETE GLENVILLE'S GREENWAY STRATEGIC DEVELOPMENT PLAN

Moved by: Councilwoman Wierzbowski **Seconded by:** Councilman Pytlovany

WHEREAS, the Town of Glenville (herein after "the Town" or "Town") was notified by the New York State Empire State Development Corporation that its funding application to complete a Glenville Greenway Strategic Development Plan was approved; and

WHEREAS, a detailed Request for Proposal (RFP) was prepared and distributed to obtain proposals from qualified firms to complete the tasks outlined and described within the approved grant application and Incentive Proposal between NYS Empire State Development and the Town; and

WHEREAS, seven (7) qualified firms submitted proposals in response to the Town's RFP, each of which were rated and ranked in accordance with the criterion detailed within the RFP, grant application and Incentive Proposal; and

WHEREAS, scoring and subsequent discussion among reviewers pointed to Behan Planning and Design as being the most qualified firm to undertake the Greenway Strategic Development Plan on behalf of the Town;

NOW THEREFORE BE IT RESOLVED, that based upon the rating and ranking of the proposals received, the Glenville Town Board hereby selects Behan Planning and Design as the most qualified respondent to assist the Town with completion of its Greenway Strategic Development Plan; and

BE IT FURTHER RESOLVED, that the Glenville Town Board hereby authorizes Town Supervisor Christopher A. Koetzle to enter into a contract with Behan Planning and Design to undertake the scope of services articulated in the Request for Proposals and Behan Planning and Design's proposal at a fee not to exceed \$59,906.00.

Ayes: Councilmen Pytlovany, Aragosa, Godlewski, Councilwoman Wierzbowski

and Supervisor Koetzle

Noes: None Absent: None

Abstention: None

Motion Carried

RESOLUTION NO. 131-2019

Moved by: Councilman Godlewski **Seconded by:** Councilman Aragosa

WHEREAS, a Member of the Town Board of the Town of Glenville is introducing a Local Law to add a new Section 270-20A, "Freemans Bridge Corridor District" to the Zoning Code of the Town of Glenville (a copy of which is attached hereto); and

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

WHEREAS, the proposed new Code section is being referred simultaneously herewith to the Planning & Zoning Commission for review and a recommendation, both as to the text and as to whether the Local Law could result in any significant environmental impacts under the State Environmental Quality Review Act (SEQRA); and

WHEREAS, a duly scheduled public hearing must be held in order to

amend the existing code by Local Law and/or to effect a change to the zoning map;

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, August 21, 2019 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 add the new Section 270-20A, "Freemans Bridge Corridor District" to Chapter of 270, Zoning, 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, the City of Schenectady and all property owners with 500 feet of the proposed Residential Planned Development; and

BE IT STILL FURTHER RESOLVED that the Town Clerk be, and she hereby is directed to provide the County of Schenectady Department of Economic Development and Planning with a referral pursuant to General Municipal Law §239-m..

Ayes: Councilmen Pytlovany, Aragosa, Godlewski, Councilwoman Wierzbowski

and Supervisor Koetzle

Noes: None Absent: None

Abstentions: None

Motion Carried

Discussion...

Supervisor Koetzle – "Before the meeting I was on the phone with our consultant and the \$425,000 is not the right number. The right number is \$440,000. I am going to ask for a motion to accept an amendment of the application from \$425,000 to \$440,000.

Moved by: Councilwoman Wierzbowski Seconded by: Councilman Pytlovany

Ayes: Councilman Pytlovany, Aragosa, Godlewski, Councilwoman

Wierzbowski and Supervisor Koetzle

Noes: None

Supervisor Koetzle – "This is the Climate Smart Grant that we have been working on and this is actually an exciting one to me despite the amount of money the match would have to be, because it includes three (3) school districts, two (2) counties, two (2) towns and one (1) village. It is really truly a collaborative effort of all of these entities coming together. I have to tell you we got a whole lot of support letters from residents. How this breaks out, the \$440,000, but roughly speaking, everything within the Town of Glenville would be \$290,000, Clifton Park from Alplaus to Glencliff School would be \$114,000, the Village of Scotia on Seeley St and part of Broad St would be \$40,000 as a cost share. What these numbers do not reflect is the counties participation, both Schenectady and Saratoga. They do not reflect the \$80,000 we have already secured for Alplaus and they do not reflect any school district sharing. It is my plan as we collect these support letters, which we are, is to have conversations with each of those entities and explain to them that everybody is going to have to share something, the school districts included, in order to make this happen.

I had a conversation with the ARA (Alplaus Resident Association) president that we can only get the sidewalk to the county line. If Saratoga and Clifton Park decide that they are not going to go from the county line to Glencliff, we can't do anything about that.

I would say to you this resolution will allow us to go forward with the

application which is due by the end of July but we still have some work to do and some discussions with our partners on kind of resources they would bring to the table as well so that our share would come down significantly."

RESOLUTION NO. 132-2019

RESOLUTION AUTHORIZING THE SUBMITTAL OF A NEW YORK STATE CONSOLIDATED FUNDING APPLICATION (CFA) TO THE NEW YORK STATE CLIMATE SMART COMMUNITIES PROGRAM FOR FUNDING TO COMPLETE THE TRI-DISTRICT SAFE ROUTES TO SCHOOL PROJECT

Moved by: Councilwoman Wierzbowski **Seconded by:** Councilman Pytlovany

WHEREAS, the Town of Glenville unanimously approved a resolution adopting its Comprehensive Plan which included as a priority initiative, participation in the NYS Climate Smart Communities Program, and

WHEREAS, on September 19, 2018 the Town of Glenville unanimously adopted a resolution to participate in the NYS Climate Smart Communities Program, to take advantage of free technical assistance provided through CSC program membership in terms of "energy efficiency, energy conservation, energy innovation and resiliency to extreme weather events, and

WHEREAS, the Town of Glenville hereby requests financial assistance from the New York State Climate Smart Communities Grant Program pursuant to Environmental Conservation Law Article 54 title 15, and

WHEREAS, the Town of Glenville certifies that it has identified and secured \$440,000 of matching funds from general funds, in-kind Town services, and other public sources pursuant to the requirements of Environmental Conservation Law Article 54 title 15;

NOW THEREFORE BE IT RESOLVED, that the Glenville Town Board hereby authorizes Town Supervisor, Christopher A. Koetzle, to act on its behalf in submittal of an application through the 2019 Consolidated Funding Application for \$440,000, to be used for the Tri-District Safe Routes to School Project and upon approval of said funding request, to execute a project grant agreement with NYS for such financial assistance; and

BE IT FURTHER RESOLVED, that the Glenville Town Board hereby authorizes the Town Supervisor to undertake any and all necessary steps to accomplish the intent of this resolution.

Ayes: Councilmen Pytlovany, Aragosa, Godlewski, Councilwoman Wierzbowski

and Supervisor Koetzle

Noes: None Absent: None

Abstention: None

Motion Carried

Discussion...

Supervisor Koetzle – "This is a CFA that did not make my list when I was giving my report of the boat launch, Yates, Veterans Park and the Safe Way to Schools. We are asking the Board to authorize it with the understanding that it may not be submitted. We are having a conversation right now and we will have a conversation with the council on a strategic decision of does it make sense to put two (2) bicycle paths in and if so are they competing against each other, and if so which one is a stronger application. We believe the Save ways to school is a much stronger application since this one has been denied on three (3) occasions now. I have had a very good conversation

with Mayor Gifford and Ray Gillen and both have committed along with Andrew Kohout and Tom Coppola that we will come together as three (3) entities and fund that trail. I think Councilman Godlewski has had some conversations with Chris Gardner on it. I think we can say there is an interest. What I believe is going to happen here is we are just making sure, we are authorizing this just in case this is a go. I think this one is going to be pulled and I think this one is going to be done with the three (3) entities coming together and getting it done."

Councilman Aragosa – "Does it affect this one if we do the other one?"

Supervisor Koetzle – "That's what we are afraid of. There is not an easy answer to that so we have an opportunity to talk with our regional councilmembers and talk to them about that and say what makes sense. They are in different agencies, one is a Climate Smart and one is a DOS but at the end of the day there is probably someone coordinating what's going on between the agencies. We are going to ask for just an honest opinion. It's my thought that the Scotia-Glenville Hike Bike one has been denied so many times. This one my email continues to blow up with support letters from residents in all three districts. I just think there is so much support for this one. I think, again, with the conversation we had with the county and the village that the other one is going to get funded through that. I think it is very unlikely that this one is going to get put in. We will wait to hear from the Regional Council as to what their thoughts are."

RESOLUTION NO. 133-2019

RESOLUTION AUTHORIZING THE SUBMITTAL OF A NEW YORK STATE CONSOLIDATED FUNDING APPLICATION (CFA) TO THE NEW YORK STATE DEPARTMENT OF STATE (DOS) FOR FUNDING TO RECONSTRUCT THE SCOTIA-GLENVILLE PORTION OF THE MOHAWK-HUDSON BIKE-HIKE TRAIL

Moved by: Councilwoman Wierzbowski **Seconded by:** Councilman Godlewski

WHEREAS, the Town of Glenville (herein after "the Town" or "Town") is planning to reconstruct the Scotia-Glenville portion of the Mohawk-Hudson Bike-Hike Trail in an effort to provide recreational opportunities, enhance the economy, provide alternative means of transportation, revitalize the Mohawk River waterfront, and promote human health community character, and quality of life for residents, businesses and visitors to Scotia-Glenville, Schenectady County and the Capital Region, and

WHEREAS, the New York State Department of State is providing funding under the 2019 Consolidated Funding Application (CFA) process through the Environmental Protection Fund -Local Waterfront Revitalization Program for qualified projects that focus on construction of land and water-based trails to create physical linkages between community centers, waterways, parks, open spaces, businesses, and historic, scenic and cultural sites, and

WHEREAS, it is estimated that the total project cost to reconstruct the Scotia-Glenville portion of the Mohawk-Hudson Bike-Hike trail would be approximately \$593,986; and

WHEREAS, New York State Department of State requires that an applicant leverage additional resources, including a minimum of 25% of the total project cost in matching funds, and

WHEREAS, the Town of Glenville agrees to contribute 25% of the total project cost consisting of a \$138,497 local cash match and \$10,000 in-kind services match;

NOW THEREFORE BE IT RESOLVED, that the Glenville Town Board hereby authorizes the Town Supervisor to file a 2019 Consolidated Funding Application for funds from the New York State Department of State in the amount of \$445,489 to reconstruct the Scotia-Glenville portion of the Mohawk-Hudson Bike-Hike Trail, and upon approval of said funding request, to execute a project grant agreement with NYS

for such financial assistance; and

BE IT FURTHER RESOLVED, that the Glenville Town Board hereby authorizes the Town Supervisor to undertake any and all necessary steps to accomplish the intent of this resolution.

Ayes: Councilmen Pytlovany, Aragosa, Godlewski, Councilwoman Wierzbowski

and Supervisor Koetzle

Noes: None Absent: None

Abstention: None

Motion Carried

RESOLUTION NO. 134-2019

Moved by: Councilwoman Wierzbowski **Seconded by:** Councilman Aragosa

WHEREAS, the Town of Glenville is proposing a zoning map amendment and Local Law that would change the zoning of approximately 24 acres of a vacant parcel (Tax Map ID#: 30.-1-24.411) located at Dutch Meadows Lane, presently owned by Raymond Piotrowski and under contract for sale to Richbell Capital, from "General Business" and "Professional Residential" to "Residential Planned Development"; and

WHEREAS, the zoning map amendment for the land on the southerly side of Dutch Meadows Lane is to be rezoned Residential Planned Development in order to allow creative development of the entire property and to make the zoning compatible with the adjoining parcels to the north, recognizing that that nearby property has a similar type of use to that being proposed on the southerly side of the road; and

WHEREAS, the portion of the property to be rezoned that fronts on Dutch Meadows Lane would appear to best conform to the Town's Comprehensive Plan if utilized for townhome and multi-family residential use; and

WHEREAS, the portion of the property to be rezoned would appear to be best be developed as multi-family housing given its proximity to the Freeman's Bridge commercial corridor and to adjacent multi-family housing; and

WHEREAS, the Planning & Zoning Commission (PZC) has reviewed the preliminary development plan and recommended consideration of the zoning map amendment and Residential Planned Development to the Town Board; and

WHEREAS, Article VI – Planned Development Districts of Chapter 270 – Zoning authorizes the Town Board to create a Residential Planned Development District by Local Law; and

WHEREAS, this Board will determine by separate resolution whether the zoning map amendment and Planned Development District creation would result in any significant adverse environmental impact for purposes of the State Environmental Quality Review Act (SEQR) and whether to accept the recommendation of the PZC, on that issue; and

WHEREAS, New York State Town Law and the Code of the Town of Glenville require a public hearing before the Town Board before an amendment to a zoning map or a local law creating a planned development district may be adopted;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Glenville hereby schedules a public hearing for Wednesday, August 21, 2019 at 7:00 p.m., or as soon thereafter as the matter can be reached, at the Town of Glenville Municipal Center, at which time and place it will hear all persons interested in a proposed zoning map amendment involving the property at the southerly side of

Dutch Meadows Lane changing the zoning of same from General Business and Professional Residential to Residential Planned Development and the Local Law creating a Residential Planned Development District on such parcel of real property in the Town of Glenville in accord with a revised application dated June 6, 2019; 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 all property owners with 500 feet of the proposed Residential Planned Development; and

BE IT STILL FURTHER RESOLVED that the Town Clerk be, and she hereby is directed to provide the County of Schenectady Department of Economic Development and Planning with a referral pursuant to General Municipal Law §239-m..

Ayes: Councilmen Pytlovany, Aragosa, Godlewski, Councilwoman Wierzbowski

and Supervisor Koetzle

Noes: None Absent: None

Abstentions: None

Motion Carried

RESOLUTION NO. 135-2019

Moved by: Councilwoman Wierzbowski **Seconded by:** Councilman Aragosa

WHEREAS, the Town Board of the Town of Glenville (herein called the "Town Board" and "Town," respectively), in the County of Schenectady, New York, has received a written petition, pursuant to section 191 of the Town Law, for the extension of Sewer District No.9 (herein called "District") whose petition was signed by the owners of at least one-half (1/2) of the assessed valuation of all taxable real property situate in the proposed District and including the signatures of resident owners of at least one-half (1/2) of the assessed valuation of such taxable real property situate in the proposed District owned by resident owners, all as shown upon the latest completed assessment roll of said Town, and a map, plan and report for the extension of Sewer District No.9 of the Town of Glenville and the construction of a sewer system therein was prepared for the Maple Avenue project and anticipated lateral connections along Maple Avenue, including that consisting of sewer laterals including land or rights in land, connections, fill, services, appurtenances and related site work (herein called the "Sewer Improvement") from an existing manhole in Maple Avenue to the subject property is now on file in the office of the Town Clerk of the Town for public inspection; and

WHEREAS, pursuant to the Order duly adopted on <u>June 19, 2019</u>, the Town Board has determined to proceed with the establishment of the proposed extension to the District and adopted an Order reciting a description of the boundaries of the extension of the District in a manner sufficient to identify the lands included therein as in a deed of conveyance, the improvements proposed, the maximum amount proposed to be expended for the construction of the Sewer Improvement in the District, the proposed method of financing to be employed, the fact that a map, plan and report describing the same are on file in the Town Clerk's office for public inspection and specifying <u>July 17, 2019</u>, at 7:00 PM, as the time when, and the Glenville Municipal Center, 18 Glenridge Road, Glenville, New York, in the Town, as the place where, the Town Board would meet to consider the establishment of an extension of the District and to hear all person interested on the subject thereof concerning the same, and for such other action on the part of the Town Board in relation thereto, as may be required by Law; and

WHEREAS, certified copies of such Order were duly published and posted pursuant to the provisions of the Town Law; and

WHEREAS, the Town Board has given due consideration to the impact that the proposed extension to the District may have on the environment and on the basis of such consideration, the Town Board has found that no substantial adverse environmental impact will be caused by the extension of the District; and

WHEREAS, the Town Board and the Town have complied in every respect with all applicable federal, state and local laws and regulations regarding environmental matters, including compliance with the New York State Environmental Quality Review Act, comprising article 8 of the Environmental Conservation Law and, in connection therewith, a duly processed Negative Declaration and/or other applicable documentation has been filed in the office of the Town Clerk; and

WHEREAS, a Public Hearing in the matter was duly held by the Town Board on said July 17, 2019, commencing at or about 7:00 PM, at the Glenville Municipal Center, 18 Glenridge Road, Glenville, New York, at which all interested persons desiring to be heard were heard, including those in favor of, and those opposed to, the proposed extension to the District;

NOW, THEREFORE, upon the evidence adduced at such public hearing be it

RESOLVED AND ORDERED by the Town Board of the Town of Glenville, in the County of Schenectady, New York as follows:

Section 1. It is hereby determined that:

- (a) The Notice of Public Hearing was published and posted as required by Law, and is otherwise sufficient;
- (b) All the property and property owners benefited included within the proposed extension to the District hereinabove referred to in the recitals hereof are benefited thereby;
- (c) All the property and property owners benefited are included within the limits of the proposed extension to the District; and
- (d) It is in the public interest to establish the extension to the District.

Section 2. The establishment of the proposed extension to the District is hereby approved, as hereinafter described, and said District shall be designated and known as Extension No. 19 to Sewer District 9 in the Town and shall include the property commonly known as the <u>133 Maple</u> Avenue (S/B/L No. 23.-2-15.13).

Section 3. The Sewer Improvement is hereby authorized to be constructed in the District and the amount proposed to be expended therefor, including the expenses incurred in connection with the establishment of the extension to the District, is to be fully borne by the developer; the plan of financing is to be fully and completely borne by the developer, at no cost to the Town or other users in the District.

Section 4. The permission of the State Comptroller is not required with respect to the extension of the District because the cost of the extension to the typical property is not above the Average Estimated Cost to the Typical Properties for the establishment of similar types of districts as computed by the State Comptroller.

Section 5. The Town Clerk of the Town is hereby authorized and directed within ten days after the adoption of this Resolution and Order, to file certified copies thereof, in duplicate, in the office of the State Department of Audit and Control in Albany, New York, record same in the office of the Clerk of the County in which the Town is located.

Ayes: Councilmen Pytlovany, Aragosa, Godlewski, Councilwoman Wierzbowski

and Supervisor Koetzle

Noes: None Absent: None

Abstention: None

Motion Carried

New Business:

Councilman Godlewski – "This Friday, down at the Tartan Lanes in Scotia, they will have a little opening. They have their bar area up and running. They are looking to have the bowling alley up running, I think they are looking to draw some people into the bar to increase their capital to get the lanes up and running. So if you have some free time on Friday after work stop by."

Councilwoman Wierzbowski – "Residents should be starting to see their refund of their Time Warner fees on their cable bills because they were overcharging the residents."

Attorney Cuevas – "We had a request for an appeal to the Board on a denial of a solicitors/peddlers permit. I did speak with the attorney to try and get it straightened out. We had problems with that company again, so we had them reapply and give us full and complete information on each of their applicants for permits. The Code says that if they appeal then we have to hold a hearing, which is a Town Board hearing on the appeal, within thirty (30) days of their applications. So in the event that something doesn't happen with their reapplications we may want to set a date if we need to hold that hearing. We will schedule the hearing for Wednesday, August 14th, 2019 during our regularly scheduled work session."

Supervisor Koetzle – "Things are moving at the Yates Mansion. We are down to the studs and we are ready to start to bring it back. We just finished the archeological dig, which was kind of interesting. They didn't find anything really cook but they did find some things in the ground that helped them date the house a little bit. So this will add to the accurate story of the house. They are preparing the archeological report. Once they have that they will come in and do a presentation with the findings. They are mostly finding flatware, dishes and pottery. They did find a lot of agriculture type stuff in the builder's trench, cleats for the horse's feet which we didn't know they were using to plow fields. So it kind of gives us a just a little bit more of a glimpse as to what happened.

I also had a local attorney and I know Mayor Gifford has also offered this to start reading all the different deeds and unraveling deeds. We are trying to match the physical evidence we are finding with the deeds and get a better understanding on what is going on there. One of the things that the archeological team wants to do is or is asking to do is for us to consider an expanded dig at some point. There might be more away from the house. Very often you would dispose of your stuff away from the house. They are talking about test pits down the road, not anytime soon.

I also working with Tom Coppola to get utilities into the house, so that's the heating, the cooling, plumbing, sewer and electric. So just in case anyone asks you what is going on there it's continuing to move forward."

Supervisor Koetzle asked for a motion to adjourn; motion to adjourn; Moved by Councilman Godlewski, Seconded by Councilman Pytlovany, everyone being in favor the meeting was adjourned at 7:45 PM.

ATTEST:	
Linda C. Neals Town Clerk	