

MEETING OF THE TOWN BOARD  
TOWN OF GLENVILLE  
FEBRUARY 1, 2017  
AT THE GLENVILLE MUNICIPAL CENTER  
18 GLENRIDGE ROAD, GLENVILLE, NEW YORK

Supervisor Koetzle called the meeting to order at 7:10 PM;

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

**Present:** Supervisor Christopher A. Koetzle, Councilmen James M. Martin and Councilwoman Gina M. Wierzbowski

**Absent:** Councilman Pytlovany

Also present were Mike Cuevas; Attorney, Jason Cuthbert; Comptroller and Kevin Corcoran, Planner.

Supervisor announced that Item #11; appointing members to serve on the Freemans Bridge Road Complete Streets and Gateway Revitalization Advisory Committee, Item #14; approving the Town Board Minutes and Item #16; executive session on the agenda were being tabled.

### **No Town Council Reports**

Supervisor Koetzle – Item No. 5 on the agenda is a public hearing to consider comments on a proposed local law that would amend various provisions of the Town of Glenville Zoning Code so as to allow the establishment of microdistilleries by site plan review within the Rural Residential/Agricultural, Community business, General Business, Highway Commercial and Research/Development/Technology zoning districts.

Supervisor Koetzle opened the public hearing at 7:15 PM.

Kenneth Gibbons, 2897 Waters Road, Schenectady Distilling Company – “We presently have a plan under site plan review at the present time for the use of the Rector Fire House. We were hoping this would go through as quickly as possible, obviously. I think the site plan folks were excited about the project and happy about it so we are just trying to move it forward as quickly as possible.”

Bob Van Flue, 2042 Waters Road – “I have no problem with the Microdistillery being located in the Rectors Fire Department. But I request that in the proposed local law that Rural Residential/Agricultural zoning areas be exempt or crossed out of this law. I think this is a commercial venture and not applicable to that area. I don’t believe it is connected in any way and not connected by utilizing any locally grown item on a person’s farm or anything like that which I guess some case could be made for commercial there. If someone wants to put one in Rural Residential in the future then that issue could be brought up at that time.”

No one else wished to speak: Supervisor closed the public hearing at 7:17 PM

Supervisor Koetzle – “Item No. 6 on the agenda is a public hearing to hear all persons interested in a proposed zoning map amendment involving the property at 133 Maple Avenue.”

Supervisor Koetzle opened the public hearing at 7:18 PM.

No one wished to speak: Supervisor closed the public hearing at 7:19 PM.

Supervisor Koetzle – “Item No. 7 on the agenda is a public hearing to hear all persons Interested in a proposed local law extending a temporary moratorium on

permits for projects in suburban residential (SR) zone districts requiring a conditional use permits, site plan review or building permits for use as townhouses, duplexes, town homes or two-family dwellings.”

Supervisor Koetzle opened the public hearing at 7:20 PM

Craig Pangburn, 14 Englehart Dr – “Just here once again to show my support, my families support in going ahead and extending moratorium on these permits. What I’m really hoping for is that it’s not just the moratorium but that the Comprehensive Plan will include this as a fulltime ruling. I’m not against the building of multi-family dwellings but they just can’t be located where there’s already existing single-family homes. There is lots of property in the Town of Glenville that they could do this without bothering the homes that have been there for 50 – 60 years.”

Greg Shannon, 14 Lee Road – “I would like to second what Mr. Pangburn said. We did discuss at the comprehensive plan meeting that the language be more specific regarding multi-family dwellings.”

Peter Miranda, 22 Woodruff Drive – “I am also in favor of the previous two speakers. I would also like to communicate that the town extends the moratorium. I think we need to monitor the impact seeing how the casino is opening next week. There is a lot of development going on, it’s really hard to predict the traffic patterns that may occur within a year and what the needs are going to be as far as housing. I think it may take some time to understand what we should be doing. If it is possible to extend it longer than six months I would really appreciate it.”

No one else wished to speak; Supervisor Koetzle the public hearing at 7:22 PM.

Privilege of the floor.

Jenna Bongermينو, 369 Lovers Lane – Ms. Bongermينو stated that at the last board meeting during the public hearing regarding the proposed waiver submitted by Chris Hess for his wiffleball games there was a lot of information presented. She stated that the information was either misconstrued or not necessarily factually accurate. Ms. Bongermينو submitted documentation to the board to support her case for denying this waiver. She stated that the town decided along with the town attorney to make the wiffleball field an outdoor recreation facility. She further stated that the town chose to update the comprehensive master plan to incorporate the current thinking of what’s going on in the town. The town put a moratorium on all projects that were in the pipeline so that the old rules would be out and then we would have new rules based on what the current thinking was. She mentioned that the town held a public hearing two weeks ago regarding two neighbors that spoke about concerns regarding this filed. She further stated that the town requested that the Planning and Zoning Commission would make a recommendation to whether or not this should be accepted or denied. That committee denied the waiver.

She explained each document that she submitted to the board, copy of the draft master plan regarding “Planning Strategies”, a map of the area involved, and multiple pages from the Hess Wiffle Ball’s website.

She stated that if the town values having wiffle ball in Glenville then I think the town should invest in creating a wiffle ball field in one of the parks. She asked the Town Board to follow the process that they put into place so that the Comprehensive Master Plan can be into effect and then the process can continue.

Chris Hess, 367 Lovers Lane – Mr. Hess stated that last year was very eye opening, how we run our league and how it effects our neighbors. He stated that he reached out to Ms. Bongermينو last week with some ideas to drastically scale back the way that we play wiffle ball. In one of his proposals it was to play four days a month, every other week end from about 10:00 am to 6:00 pm, no lights because we would be done by 7:00 pm. He stated that they would reduce the amount of people at the games and to car pool the participants. Mr. Hess stated that he hopes the waiver is passed with conditions

in the site plan review to make sure the new regulations would be followed.

Judy Rightmyer, 18 Velina Dr. – Ms. Rightmyer stated that the roads in her neighborhood have not been paved in twenty (20) years. There are potholes and it is dangerous to walk. She stated that she spoke with Supervisor Koetzle regarding this and I was told that a study was being done back in September. She would like to know what the plan is, this is the third year that I have been told that the paving was going to happen and it hasn't happened yet. She asked the board to take the study that was done and act on it and have a time frame so that the repairs can be made to the drainage issues in that neighborhood and the paving can happen.

Ms. Rightmyer also stated that she read the Comprehensive Plan and one thing she found lacking in it was information on making the community a more healthy community. She appreciated that the board passed a moratorium on Freemans Bridge Road that included no vapor shops for six months. She suggested that the board may want to look at where tobacco is sold in the town and limit the number of places that sell it.

Supervisor Koetzle – “The engineering study in your neighborhood, it was not completed in September, it was in negotiation or discussion between our engineering firm and our Highway Superintendent and it was completed in January. In any case your neighborhood is very much a priority for the highway department and I know you have talked with Dana and Tom. Before we do any paving we have to fix the drainage problems. That's what is going to happen in your neighborhood, that's what they are planning now. We have a five (5) year plan and it's always been on the plan. So you are not being ignored.

The lights in town center, we are on a NYS highway and we get a permit to work on the state highway and when we received our permit we were to do our work in July. The State had to come back and redo some of the sidewalks and they had to cut up a portion of the road that they had just paved so we got kicked out of the right-a-way when they are working and we can't go back in their right-a-way until they tell us so by the time we started back up we couldn't connect that section because the it was too late in the season to cut the asphalt across Van Buren Road in order for National Grid to connect the lights.”

Supervisor's Comments to the Board:

Alan Boulant resigned as a Board member effective January 31, 2017. We have received quite a few resumes. As we start to go through them we will be setting up a date for the committee to get together and conduct interviews. Hopefully the timeframe is by our March 1<sup>st</sup> meeting. The resumes are due by the end of this week.

I met with the new History Events Committee that we authorized to discuss and to talk about the purpose of the committee, the goals of the committee. We discussed Glenville's Bi-Centennial celebration in 2020.

I met with the budget committee to get them ready for the 2017 work. They are taking a great interest in the sales tax fair share formula that we have been talking about and so they will start looking at that.

Councilwoman Wierzbowski and I attended the ribbon cutting at J & T's Café in Scotia.

I attended the E. Glenville Fire Department's installation dinner and Councilwoman Wierzbowski and I attended the Town's Chiefs meeting.

I met with Rotarians and John Burhmaster from First National Bank to talk about the redevelopment on Route 50 and Glenridge Road. We are working together to try to beautify the clock area and to redevelop the Rotary sign.

I met, today, with Senator Tedisco and National Grid to discuss the moving of those three hideous poles on the corner of Route 50 and Glenridge Road. It's not been

easy, there are a lot of reasons that they throw at us as to why they can't do it but we will continue to push for this because it just completely messes up Town Center.

I met with the seniors to plan their 20<sup>th</sup> anniversary event, it's been twenty years since the Senior Center opened.

I met about 20 boy scouts from Troop 65 that are working on their citizen's badge.

The casino is opening on the 8<sup>th</sup> of February. That is certainly a concern of ours. We have been working on what kind of traffic impact it may have on the town and we did look at the traffic study again and a good deal of the traffic is coming through the Town of Glenville. Some say it will be somewhere between 25% and 35% of this traffic is going to becoming either down Route 50 and Freemans Bridge Road, Maple Avenue and down Route 5 to get to the casino. In the traffic study they only studied the peak hours during a work day, not during the week end. So in that week day peak hour, one hour, they estimate that we will see 414 additional cars within an hour on a week day. Now on a week end you would have to figure it out yourself what kind of difference that would be.

The Comptroller reported to me a few things. First and foremost our real-estate market in the town is very strong. For this year the medium home sale price in the town was \$200,000 which is up from \$188,000 in 2015. That resulted in mortgage revenues of \$632,000 in 2016 and that was our best year since 2013 our high market of \$803,000. Revenues for building permits are also up they came in at their highest since 2013 as well. Our 2016 building permits were about \$181,000 which is up from \$133,000 in 2015. Unfortunately court revenue continues to lag. We ended 2016 with \$163,000. From 2008 to 2013 we averaged about \$214,000 a year so we are far off from that. Sales tax revenue fell in 2016 for the first time since 2010 and that's a troubling sign. Our share from the county, as you know, is locked at 1.8 million dollars for here but we typically see small increases in our share from Metroplex sales tax piece. However in 2016 our Metroplex share was only \$850,000 down from \$885,000 in 2015, that's a 4% drop which is pretty significant.

Looking forward with six months of the tax cap finish in 2018 will be about 1.46% and that would be about \$125,000 in new tax revenue for 2018.

As we are into February the 2016 books will remain opened for a few more weeks. We expect to end 2016 with a surplus in town general, town outside and sewer funds, but we expect small deficits in highway and water funds.

This Friday evening there will be the annual Rotary ziti dinner at the Senior Center. I encourage you all to attend, I will be a waiter so if you get me I promise very good service and I won't drop you food or anything like that."

Councilman Martin – "I just want to comment on the sales tax revenue. Sales tax revenue in Schenectady County is at a dismal state. We have been on a flat sales tax revenue to our budget by the time the current sales tax agreement expires in 2020 and a new one comes into effect we will be on a flat, absolutely flat sales tax revenue for sixteen (16) years. That is not the way budgeting is intended to work. If you look at like communities in Saratoga County compared to us, sales tax revenue is their life blood. We have been on this fixed amount for sixteen years by the year 2020. What's very important in this next election cycle, legislature who are elected this November will be in place for the reauthorization of the new agreement in 2020. I encourage you to hold your elected officials speak the fire, both town representatives and county as to what they are going to do about this agreement. This is something that has to be from the grassroots, that these elected officials particularly the county legislatures start putting the needs of the people in the townships first instead of the party boss and the Democratic Party. I just want to make that very clear. I am certainly going to make is a part of my campaign for this upcoming year and I am going to hold legislatures feet to the fire as well."

Councilwoman Wierzbowski – "I heard through the grapevine, today, that the new Schenectady County Convention and Visitors Bureau has been created to encourage

tourism in Schenectady County. It is supposed to be funded by a 1% increase in the local tax collected on hotels and motels in the city. While I certainly commend the City of Schenectady to revitalize itself I don't feel that another layer of bureaucracy and another layer of cronyism jobs, dare I say, happening in our county is necessary. I feel like Schenectady is doing fairly well on its own without yet another layer of function to ask people to come to it. So that extra 1% in the sales tax that would be collected would not go toward the residents of Schenectady, would not ease the tax burden on anybody but pay salaries and benefits and retirement and all of that for whoever would be working for that new bureau they are creating."

Supervisor Koetzle moved ahead with the agenda items.

**RESOLUTION NO. 60-2017**

**Moved by:** Councilwoman Wierzbowski

**Seconded by:** Councilman Martin

**WHEREAS**, the Town of Glenville Public Works Department requires reliable transportation to perform Town duties; and

**WHEREAS**, within its fleet the Public Works Department is currently utilizing a 2003 Chevrolet Silverado with VIN ending in 1297 and a 2008 Chevrolet Silverado with VIN ending in 7504, each of which are nearing the end of useful life and requiring repairs on an ever increasing basis; and

**WHEREAS**, the Commissioner of Public Works and Town Comptroller advise that it is not in the best financial interests of the Town to continue to repair these vehicles and recommend that both vehicles be replaced; and

**WHEREAS**, the Town Comptroller advises that the Town may utilize contract pricing made available by the State of New York to purchase vehicles; and

**WHEREAS**, the Commissioner of Public Works recommends that the vehicle contract be awarded under State of New York contract PC67540 to Mangino Chevrolet, 4447 State Route 50, Amsterdam, New York 12010;

**NOW, THEREFORE, BE IT RESOLVED**, that the Commissioner of Public Works is hereby authorized to purchase two 2017 Chevrolet Silverado 1500 gasoline powered half-ton crew cab trucks at a cost not to exceed \$34,500 each with the expense for said vehicles charged to account 04.00.5130.2000 as included in the 2017 adopted budget; and

**BE IT FURTHER RESOLVED**, that upon purchase of the new vehicles the 2003 Chevrolet Silverado with VIN ending in 1297 and the 2008 Chevrolet Silverado with VIN ending in 7504 are deemed surplus property and are eligible for disposal in the most cost-effective manner as determined by the Town Comptroller.

**Ayes:** Councilman Martin, Councilwoman Wierzbowski and Supervisor Koetzle

**Noes:** None

**Absent:** Councilman Pytlovany

**Abstentions:** None

**Motion Carried**

Supervisor Koetzle – "The following resolution is to consider granting a waiver to Christopher Hess from the moratorium on outdoor recreational activities in rural agricultural zone. Before I bring this resolution forward I'd like to ask the two parties who this would impact the most if you would prefer we sit down and work out a solution that is acceptable to all or take up the resolution and goes one way or the other on it. I think this is to me better the two residents, neighbors come to a solution on it before we take it up. We would be part of that discussion if you want to come together here at town hall?

Attorney Cuevas – “You would have to table this resolution and see if a solution could be worked out.”

Councilman Martin – “Just to point out, part of the waiver if it were to go forward would require a special use permit and site plan review from the Planning and Zoning Commission. The special use permit that is a zoning vehicle which sets conditions that were suggested tonight during the public comments, they could be transitioned into conditions as part of that permit, hours of play, number of games of months, those types of things are very enforceable and viable that can be transitioned into a condition and that is what I was looking for going forward. Also I would suggest that when these minutes are ready that they be provided to the Planning and Zoning Commission for their review so they can hear the testimony that was given and some of the conditions that were offered so they can get an idea of the frame work under which something might be able to be worked out.”

Supervisor Koetzle – “I would like it if we could get the two parties together along with town staff and myself before February 15<sup>th</sup> because that will be the next time that we can act and come to some sort of agreement so when it does go for a conditional use permit all of these conditions are met.”

**Moved by:** Councilwoman Wierzbowski

**Seconded by:** Councilman Martin

Motion to table the resolution considering a waiver to Christopher Hess from the moratorium on outdoor recreational activities in rural agricultural zone.

**Ayes:** Councilman Martin, Councilwoman Wierzbowski and Supervisor Koetzle

**Noes:** None

**Absent:** Councilman Pytlovany

#### **RESOLUTION NO. 61-2017**

**Moved by:** Councilwoman Wierzbowski

**Seconded by:** Councilman Martin

**WHEREAS**, the Town of Glenville regularly replaces outdated and dilapidated equipment; and

**WHEREAS**, the Town wishes to dispose of an accumulation of such equipment for which it has no current use and is, therefore, surplus equipment; and

**WHEREAS**, while the surplus equipment is believed to have little or no monetary value, the Comptroller should determine the best manner in which to offer such equipment for sale and after such sale, how the remaining equipment not sold should most economically be disposed of.

**NOW, THEREFORE, BE IT RESOLVED**, that the equipment listed below under the “Inventory of Surplus Equipment” is hereby declared surplus, and the Town Comptroller is authorized to dispose of said equipment in the most cost effective manner possible.

#### **Inventory of Surplus Equipment**

- Miscellaneous fences, gates, posts (Parks Department)
- Slide and playground equipment (Parks)
- One gas grill (Parks)
- One tire machine (Highway)

**Ayes:** Councilman Martin, Councilwoman Wierzbowski and Supervisor Koetzle

**Noes:** None

**Absent:** Councilman Pytlovany

**Abstention:** None

**Motion Carried**

**RESOLUTION NO. 62-2017**

**Moved by:** Councilman Martin

**Seconded by:** Councilwoman Wierzbowski

**WHEREAS**, the Town Board of the Town of Glenville has been considering a Local Law entitled “**A LOCAL LAW EXTENDING A TEMPORARY MORATORIUM ON PERMITS FOR PROJECTS IN SUBURBAN RESIDENTIAL (SR) ZONE DISTRICTS REQUIRING CONDITIONAL USE PERMITS, SITE PLAN REVIEW OR BUILDING PERMITS FOR TOWNHOUSES, DUPLEXES, TWIN HOMES OR TWO-FAMILY DWELLINGS**” with respect to uses permitted by in the Suburban Residential zones of the Town; and

**WHEREAS**, this Town Board has held a public hearing on February 1, 2017 at 7:00 P.M., at which time all parties in interest were afforded an opportunity to be heard and to publicly comment on the proposed local law imposing a temporary moratorium as set forth above; and

**WHEREAS**, the Town Board of the Town of Glenville hereby finds and determines that:

- In January 2015, the Town Board of the Town of Glenville appointed a Comprehensive Plan Review Committee to revise or replace the existing Town Comprehensive Plan which was adopted twenty-five years ago. The purpose of the new Comprehensive Plan is to update the vision and goals of the town as established by citizen input and to direct the future development patterns in the Town.
- Among other issues, the Comprehensive Plan may address the types of residential structures that should be permitted in zoning districts that have traditionally been limited to stand alone, single family residences. The CPRC and ZRC will review how the zoning in these areas of town might be adjusted to best attract the types of new residential development that will be consistent with available infrastructure and the overall vision for the Town.
- Patriot Square has completed the build out of its 156 unit apartment complex; condominiums are being constructed at the Yates Farm site off Maple Avenue and the second phase of Glen Oaks single-family residential development is slated to begin soon. Other apartment and condominium projects have been proposed in the Town and others have been approved in neighboring municipalities.
- The ZRC has met and has completed the draft, revised Comprehensive Plan. The Town commissioned a study of feasibility of extending sewer to the northern portion of the Route 50 corridor. Certain single family, condominium and apartment complexes are currently approved for construction and/or underway. A local developer is completing construction of a hotel in the Freemans Bridge Road /Maple Avenue corridor and owners of other vacant property on Freemans Bridge Road are actively marketing and/or proceeding with development plans. The Rivers Casino is scheduled to open February 8, 2017, and a new Marriott hotel has opened on that site and construction work is proceeding on residential development on the project site in the City of Schenectady. All make this a critical time to assess the Town’s residential housing needs.
- It is now anticipated that a revised draft Comprehensive Plan will be presented for review and comment by the Planning Board, Zoning Board of Appeals and the Glenville Town Board within the next six months. The Town Board finds that significant development in the SR zoning districts prior to the approval of the proposed revised Comprehensive Plan may substantially reduce the effectiveness of any amendments to the zoning law that may be recommended and lessen the ability of the Town to develop these zones in a manner that would

be most beneficial to the Town and its residents, businesses and property owners.. If significant development in those areas proceeds before the zoning is amended it will lessen the ability of the town to plan for its orderly development and protect the public health, safety and general welfare of the citizens of the Town of Glenville. This Local Law is necessary to provide sufficient time for the Comprehensive Plan Committee to recommend and propose a revised Comprehensive Plan for the Town of Glenville and the Town Board to consider and complete the necessary revisions to the Zoning Code recommended in the Comprehensive Plan, once adopted, in compliance with state law and with adequate opportunity for public input.

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board of the Town of Glenville does hereby adopt Local Law No. 2 of 2017, **“A LOCAL LAW EXTENDING A TEMPORARY MORATORIUM ON PERMITS FOR PROJECTS IN SUBURBAN RESIDENTIAL (SR) ZONE DISTRICTS REQUIRING CONDITIONAL USE PERMITS, SITE PLAN REVIEW OR BUILDING PERMITS FOR USE AS TOWNHOUSES, DUPLEXES, TWIN HOMES OR TWO-FAMILY DWELLINGS”**, a copy of which is annexed hereto; and

**BE IT FURTHER RESOLVED**, that this Local Law shall take effect when filed with the Secretary of State of the State of New York.

**Ayes:** Councilman Martin, Councilwoman Wierzbowski and Supervisor Koetzle  
**Noes:** None  
**Absent:** Councilman Pytlovany  
**Abstentions:** None

**Motion Carried**

Supervisor Koetzle asked for a motion to adjourn; motion to adjourn; Moved by Councilman Martin; Seconded by Councilwoman Wierzbowski, everyone being in favor the meeting was adjourned at 8:05 PM.

ATTEST:

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Linda C. Neals  
Town Clerk