

MEETING OF THE TOWN BOARD
TOWN OF GLENVILLE
FEBRUARY 15, 2017
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, Councilman 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 Koetzle – “There are currently two (2) add on resolutions on the agenda. We have three (3) more add on resolutions - #3 authorizing the purchase of a dump truck, #4 authorizing the purchase of a backhoe and #5 – establishing and appointing the Freemans Bridge Road Complete Street and Gateway Revitalization Study Advisory Committee. We will be entering into an executive session to discuss personnel matters, we don’t anticipate any business after that. We are striking Item #16, a resolution considering granting the appeal of Christopher Hess for a variance from the moratorium off the agenda for this evening.”

Town Council Reports

Councilman Martin – “I attended the meeting of the Local Development Corporation (LDC) yesterday. All four (4) loans are current and they have an application pending, very close to a decision and its looking very favorable for a startup of a new business in the community.”

No one wished to exercise the privilege of the floor.

Supervisor’s Comments

Supervisor Koetzle shared the following information:

Jamie and I had an opportunity to meet with the YMCA on a fitness park idea for Indian Meadows Park and Anderson Park. The idea, in the Strategic Plan, is to have a fitness park where the dog park is and a fitness park over by the YMCA in the Indian Meadows Park. We would have to work on the trail that will run between the two parks. The YMCA is helping us with that and we are working diligently on getting an easement at the Mekeel property so the two can be connected.

The Comptroller has reported that the new phone system will be installed on February 27th.

I met with Mayor Kastberg regarding the committee idea that we have talked about, this joint vision committee between the Village and the Town do decide how we are going to go into the future together. The Mayor is less than enthusiastic unfortunately with the idea. He wanted to assure that there were certain subjects off the table which I would not agree to that because I feel the committee is empowered so they can explore that is the whole point of the committee. We did not reach an agreement so I think this board needs to make a decision perhaps going forward independently with a citizen committee on shared vision for the Village and the Town. Now, I understand we can’t impose anything on the Village, but certainly is the concept is to get the ideas out to discuss and explore we may want to continue with that idea.

Met with National Grid and Senator Tedisco. We are working with National

Grid in trying to remove the three (3) poles at the corner of Glenridge Road and Route 50. We are making progress. They came up with some ideas on what they can do to remove the poles. The problem is for them to study it, to do the design work, they want to charge the town \$22,000. Their rationality is that we are a customer and we have to pay for individual services and my argument was we are not a customer, we are not asking about our service at our property. We are asking on behalf of 30,000 residents that you fix something you did in our community. The next step, I believe, is to go to our state legislatures to get some sort of relief under the guides of a community project.

We have received fourteen applications for the vacant position on the Town Board. We have had three days of interviews and we are getting down to the recommendation to the Board. This evening we have three (3) across the Board that are very interested in serving this community, people who are very happy with the direction of the town. Our committee with our Town Attorney, Councilman Martin and two community members as well.

Councilman Martin - "I was also impressed with the level of talent and skills that people have out there. It is really rewarding to see the depth of talent in the community. Unfortunately we only have one position but there are so many other positions that we have in the community with our committees and out commissions that hopefully we can repay this interest and build upon that excitement."

Councilman Martin – "I just wanted to comment on the Governor's proposal today that targeted local governments. I think that it is misguided. If anybody looked at the real property tax bill and breaks it down, that was the focus of his initiatives today he missed the mark badly. Local governments actually...from a governmental service provider, increasingly in many instances a model of efficiency. I think things are being done very lean now. I don't think as you go up the food chain, so to speak, the larger county and certainly the state government and the school districts. If you look at the break down on a tax bill it's among the county and the school district large bills are to be paid. I just don't understand what he is thinking, I just don't get it."

Supervisor Koetzle – "I had the opportunity to speak to Mary Beth Walsh at a DARE graduation and she is very much in line with protecting local services of the governments. One of the things we talked about briefly was that wasn't mentioned in today's proposal but should have been is the stick he talked about the carrot but if the county adopts a plan they will get that savings doubled to them. The stick portion of this proposal is if the county fails or the voters don't approve it, then the local governments lose, for us with no fault of our own, we would lose \$176,000 of state aid. How would that help a local tax payer? My point is that it is an attack on local government. He is trying to make the local government out as the bad guy when actually we are the most efficient hub of government. On the tax bills, you know, we're 10% of an annual tax bill and the services we deliver for 10% and the services the county delivers for 40% is astonishing."

Councilman Martin – "The other part of the discussion that's never heard of is expenses. The expenditures and cost of state government is just plain too high. They always talk about other things, more revenue or sharing services, it's just plain too expensive and it needs to be cut back."

Supervisor Koetzle moved ahead with the agenda items

RESOLUTION NO. 63-2017

Moved by: Councilman Martin

Seconded by: Councilwoman Wierzbowski

WHEREAS, the Town of Glenville is proposing a local law to revise Sections 270-14C(3), 270-18B(12), 270-19B(16), 270-19.1C(13) and 270-20B(16) of the Town of Glenville Code (Zoning) to allow for the establishment of microdistilleries by site plan review within "Rural Residential/Agricultural," "Community Business," "General Business," "Highway Commercial" and "Research/Development/Technology" zoning districts; and

WHEREAS, this local law also involves zoning text amendments to Section 270-3 of the Town Code so as to add definitions for “farm distillery” and “microdistillery;” and

WHEREAS, this local law/zoning text amendment constitutes an “Unlisted Action” in accordance with 6 NYCRR Part 617 (State Environmental Quality Review Act {SEQRA}); and

WHEREAS, the Glenville Town Board has assumed SEQRA Lead Agency in this instance; and

WHEREAS, the Town of Glenville Planning and Zoning Commission, at their January 9, 2017 meeting, recommended that the Town Board find no significant adverse environmental impact associated with this proposed local law/zoning text amendments, and further recommended that the Board issue a SEQRA “Negative Declaration;”

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Glenville hereby determines that the proposed local law/zoning text amendments, as described above, will not result in a significant adverse environmental impact; and

BE IT FURTHER RESOLVED that the Town Board of the Town of Glenville hereby issues a SEQRA “Negative Declaration” (attached) for this proposal, based on the following findings:

- Adoption of this local law will not result in any development or physical alterations to the land. Rather, this action is the implementation of zoning text amendments to allow, by site plan review, the establishment of microdistilleries within certain zoning districts – the same zoning districts in which microbreweries and microwineries are already permitted.
- This action will not impact air quality, groundwater quality, surface water quality, traffic levels, noise levels, solid waste production, etc.
- This action will not result in the removal of vegetation or fauna, nor will it impact significant wildlife habitat areas or in any way impact threatened or endangered species of animal or plant.
- This action will not create a conflict with the Town’s Comprehensive Plan or Zoning Ordinance, or any other land use policy document. This action is in fact consistent with the Town’s current regulations on microbreweries and microwineries. It is also consistent with efforts by New York State over the last few years to promote the growth of microbreweries, microwineries and microdistilleries within the state.

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

Motion Carried

Discussion...

Councilman Martin – “I think this is a good use for our community. It will be reviewed, there is some discretionary approval here provided. I think particularly in the Rural/Agriculture Zone with a close association here between what happens with distilleries and how the raw materials used, the corn and so on, so it is a complimentary use to a large extent and it’s in keeping with our draft comprehensive

plan.”

Supervisor Koetzle – “We all know that some folks in West Glenville had some opposition to this being included in Rural Residential and Agricultural district. My first question for our Attorney is would this be by right?”

Attorney Cuevas – “It’s going to be a permitted use. It’s just subject to site plan review.”

Supervisor Koetzle – “Not conditional use.”

Attorney Cuevas – “Right”

Supervisor Koetzle – “When you say discretion, Jim can we still write into the zoning law a certain percentage of the material has to be farmed or sourced on the property.”

Councilman Martin – “Yes you could do that, you could have such a provision.”

Supervisor Koetzle – “So that would be done in the actual rewriting of the zoning through the comprehensive plan correct?”

Councilman Martin – “That’s correct.”

Supervisor Koetzle – “I think that’s one of the issues and I think they would be comfortable if in that zone some of the actual sourcing of what they are distilling comes from the land.”

Councilman Martin – “You could do it that the distillery has to be on the property where the source is coming from.”

Councilwoman Wierzbowski – “Would that be applicable in every zone that we would be adding this text or just the rural residential/agricultural.”

Councilman Martin – “You could target it toward the rural residential/agricultural zone.”

RESOLUTION NO. 64-2017

Moved by: Councilman Martin

Seconded by: Councilwoman Wierzbowski

WHEREAS, the Town of Glenville is proposing a local law to revise Sections 270-3, 270-14C(3), 270-18B(12), 270-19B(16), 270-19.1C(13) and 270-20B(16) of the Town of Glenville Code (Zoning) to allow for the establishment of microdistilleries by site plan review within “Rural Residential/Agricultural,” “Community Business,” “General Business,” “Highway Commercial” and “Research/Development/Technology” zoning districts; and

WHEREAS, this local law also involves zoning text amendments to Section 270-3 of the Town Code so as to add definitions for “farm distillery” and “microdistillery;” and

WHEREAS, the Town Board of the Town of Glenville, pursuant to 6 NYCRR Part 617 (State Environmental Quality Review Act {SEQRA}), and as SEQRA Lead Agency, has issued a “Negative Declaration,” concluding that there will be no significant adverse environmental impacts associated with these zoning text amendments; and

WHEREAS, pursuant to New York State Town Law and the Code of the

Town of Glenville, a public hearing regarding the proposed zoning amendments was held by the Town Board on February 1, 2017; and

WHEREAS, the Town of Glenville Planning and Zoning Commission, at their January 9, 2017 meeting, recommended that the Town Board approve this zoning amendment;

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Glenville hereby approves Local Law No. 3 of 2017, amending Sections 270-3, 270-14C(3), 270-18B(12), 270-19B(16), 270-19.1C(13) and 270-20B(16) of the Town Code of the Town of Glenville (Zoning); and

BE IT FURTHER RESOLVED that the Town Board of the Town of Glenville bases its approval on the following findings:

- The adoption of this local law is compatible with the Town of Glenville Comprehensive Plan and all other provisions of the current Town of Glenville Zoning Code. In particular, this zoning amendment is consistent with the adoption of zoning amendments made in July, 2012, at which time the Town Board authorized the establishment of microbreweries and microwineries within the same five zoning districts under consideration for allowance of microdistilleries.
- This action allows for the establishment of microdistilleries in the same zoning districts in which microbreweries and microwineries are permitted. Any microdistilleries which occur as a result of this zoning change should not be incompatible with any other land uses within the “Community Business,” “General Business,” “Highway Commercial” or “Research/Development/Technology” zoning districts. In regards to the possibility of a microdistillery opening in an “Rural Residential/Agricultural” (RA) zoning district, this land use is viewed and promoted as an “agri-tourism” use by New York State and is, consequently, appropriately permitted within the RA zoning district. Any potential conflicts between a microdistillery use and any adjacent land uses can be ameliorated via the site plan review process, which is mandatory for the establishment of microdistilleries in every zoning district in which they can locate.
- This action constitutes a zoning text amendment and would, therefore, not result in any direct physical or environmental impacts. Consequently, this zoning text amendment will not devalue land values. And in consideration of the land use compatibility discussion above, the establishment of any microdistilleries as a result of this action should not negatively impact nearby land values.
- Adoption of this local law will not conflict with the “Purpose” provisions of Article 1 of the Town of Glenville Zoning Ordinance (Section 270-1 of the Glenville Town Code). Per Section 270-1C, the Town’s zoning code “... has been crafted to encourage certain types of development in areas where the land is well suited for such development, and/or where such development has already occurred, and/or where infrastructure is available to support both the type and intensity of the proposed use.” The Town’s Code already permits microbreweries and microwineries in the five zoning districts in which microdistilleries will not be allowed. These are all similar uses that are suited for a variety of settings, including industrial, commercial and agricultural. In instances where land use compatibility may be called into question, the mandatory site plan review process provides a means for the Town to ensure minimal environmental and neighborhood impacts.

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
Absents: Councilman Pytlovany
Abstentions: None

Motion Carried

Discussion...

This is the location where the former Yates Mansion was located and is one of the most historic buildings in the community. Previously it was subject to multi-family use that could occur there. There was a rumor that it might be torn down in favor of developing brand new multi-family buildings. If anybody looks at the zoning map the only parcel that kind this is the only parcel that is like a tooth sticking out into the single-family uses and multi-family was allowed here. This didn't seem to make sense. This is an action that would correct that. This resolution is the environmental review of that coming again to a negative declaration."

RESOLUTION NO. 65-2017

Moved by: Councilman Martin
Seconded by: Councilwoman Wierzbowski

WHEREAS, the Town of Glenville is proposing to change the zoning of 133 Maple Avenue, the 2.06-acre property on which the former Yates Mansion is located, from "Multi-Family Residential" to "Suburban Residential;" and

WHEREAS, this zoning map amendment constitutes an "Unlisted Action" in accordance with 6 NYCRR Part 617 (State Environmental Quality Review Act {SEQRA}); and

WHEREAS the Glenville Town Board has assumed SEQRA Lead Agency in this instance; and

WHEREAS, the Town of Glenville Planning and Zoning Commission, at their February 13, 2017 meeting, recommended that the Town Board find no significant adverse environmental impact associated with this proposed zoning map amendment, and further recommended that the Board issue a SEQRA "Negative Declaration;"

NOW, THEREFORE, BE IT RESOLVE that the Town Board of the Town of Glenville hereby determines that the proposed zoning map amendment for 133 Maple Avenue, as described above, will not result in a significant adverse environmental impact; and

BE IT FURTHER RESOLVED that the Town Board of the Town of Glenville hereby issues a SEQRA "Negative Declaration" (attached) for this proposal, based on the following findings:

- Rezoning 133 Maple Avenue from "Multi-Family Residential" to "Suburban Residential" will not result in any development or physical alterations to the land. Rather, this action represents a "down zoning" of an already built upon property, whereby the potential intensity of development of this property will be decreased as a result of the zoning map amendment.
- Changing the zoning of 133 Maple Avenue will not impact air quality, groundwater quality, surface water quality, traffic levels, noise levels, solid waste production, etc.
- This action will not result in the removal of vegetation or fauna, nor will it impact significant wildlife habitat areas or in any way impact threatened or endangered species of animal or plant.

- This action will not create a conflict with the Town's Comprehensive Plan or Zoning Ordinance, or any other land use policy document. This zoning map amendment will, in fact, render the zoning of 133 Maple Avenue consistent with properties immediately to the east, north and west.

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

Motion Carried

RESOLUTION NO. 66-2017

Moved by: Councilman Martin
Seconded by: Councilwoman Wierzbowski

WHEREAS, the Town of Glenville is proposing to change the zoning of 133 Maple Avenue (Tax Map # 23.-2-15.13), the 2.06-acre property on which the former Yates Mansion is located, from "Multi-Family Residential" to "Suburban Residential;" and

WHEREAS, the Town Board of the Town of Glenville, pursuant to 6 NYCRR Part 617 (State Environmental Quality Review Act {SEQRA}), and as SEQRA Lead Agency, has issued a "Negative Declaration," concluding that there will be no significant adverse environmental impacts associated with this zoning map amendment; and

WHEREAS, pursuant to New York State Town Law and the Code of the Town of Glenville, a public hearing on this proposed zoning map amendment was held by the Town Board on February 1, 2017; and

WHEREAS, the Town of Glenville Planning and Zoning Commission, at their February 13, 2017 meeting, recommended that the Town Board approve this zoning map amendment;

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Glenville hereby approves the proposal to change the zoning of 133 Maple Avenue from "Multi-Family Residential" to "Suburban Residential," and

BE IT FURTHER RESOLVED that the Town Board of the Town of Glenville bases its approval on the following findings:

- The proposed zoning map amendment for 133 Maple Avenue is reasonably compatible with the Land Use Plan of the Town of Glenville Comprehensive Plan, which calls for this parcel and surrounding area to be "Hamlet Residential." The Hamlet Residential land use category is designated for areas where water and sewer services are available, and where a greater density of housing can be accommodated. The "Suburban Residential" zoning district does allow for the Town's densest concentration of single-family housing, permitting a minimum lot size of 15,000 sq. ft.
- This zoning map amendment will be compatible with neighboring land uses. Properties to the immediate east, north and west are already zoned "Suburban Residential," and the predominant land use in this area of the town is single-family residential, with the exception of the 44-unit townhouse project under construction to the south.
- The proposed zoning map amendment will preserve nearby land values. The zoning of this property is simply going from one form of residential (multi-family) to another (suburban), resulting in a new designation that brings with it

potentially less intensive residential land uses. This is not a formula for the devaluing of neighboring properties.

- The character of the neighborhood will be preserved following this zoning change. The property on which the zoning is being changed is already developed. There will be no change at all in the character of the area. Rather, this zoning map amendment assures that any future redevelopment of this property for residential purposes will result in single-family development, not multi-family, which is consistent with the existing zoning and character of properties to the east, north and west of 133 Maple Avenue.
- Adoption of this zoning map amendment will not conflict with the “Purpose” provisions of Article 1 of the Town of Glenville Zoning Ordinance (Section 270-1 of the Glenville Town Code). One of the stated intents of the Zoning Ordinance is to ensure that zoning decisions will be made in accordance with a Comprehensive Plan. This action is in accordance with the Town’s Plan. This rezoning is also consistent with the overarching purpose of the Zoning Ordinance, which is “to protect the health, safety and general welfare of the Town and its residents.”

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

Motion Carried

RESOLUTION NO. 67-2017

Moved by: Councilman Martin
Seconded by: Councilwoman Wierzbowski

WHEREAS, a zoning map amendment application has been submitted by Capitaland Subaru to rezone a 0.66-acre parcel at 49 Saratoga Road (tax map #30.6-1-5), recently acquired by Capitaland, from “Professional/Residential” to “General Business,” and

WHEREAS, the purpose of the proposed zoning change is to allow Capitaland to expand its parking area about 60 feet to the north in order to accommodate a larger inventory that is necessary to respond to an increase in sales; and

WHEREAS, this zoning map amendment constitutes an “Unlisted Action” in accordance with 6 NYCRR Part 617 (State Environmental Quality Review Act {SEQRA}); and

WHEREAS, the Glenville Town Board has assumed SEQRA Lead Agency in this instance;

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Glenville hereby determines that the proposed zoning map amendment for Capitaland Subaru’s property at 49 Saratoga Road, as described above, will not result in a significant adverse environmental impact; and

Be IT FURTHER RESOLVED that the Town Board of the Town of Glenville hereby issues a SEQRA “Negative Declaration” for this proposal, based on the following findings:

- Changing the zoning of 49 Saratoga Road to allow a relatively minor expansion of Capitaland Subaru’s parking lot will not result in a significant impact on air quality, groundwater quality, surface water quality, traffic levels, noise levels,

solid waste production, etc. There will be no new driveways onto Route 50 as a result of this action, and a berm and evergreen trees will be relocated to the northern boundary of the parking lot to supplement existing vegetation to serve as a buffer to the residential properties to the north.

- This action will not impact significant wildlife habitat areas or in any way threaten any endangered animal or plant species. The area to be rezoned was, until recently, developed with a home and associated accessory structures.
- This zoning amendment will not impair any known historical, architectural or aesthetic resources, nor will it compromise any agricultural, open space or recreational lands.
- This action will not create a conflict with the Town's Comprehensive Plan. The Land Use Plan of the Comprehensive Plan identifies this parcel as being just within the northern extent of the "General Business" area, with the land uses to the north and west earmarked for "Suburban Residential" development.

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

Motion Carried

RESOLUTION NO. 68-2017

Moved by: Councilman Martin
Seconded by: Councilwoman Wierzbowski

WHEREAS, a zoning map amendment application has been submitted by Capitaland Subaru to rezone a 0.66-acre parcel at 49 Saratoga Road (tax map #30.6-1-5), recently acquired by Capitaland, from "Professional/Residential" to "General Business;" and

WHEREAS, the purpose of the proposed zoning change is to allow Capitaland to expand its parking area approximately 60 feet to the north in order to accommodate a larger inventory that is necessary to respond to an increase in sales; and

WHEREAS, the Town Board of the Town of Glenville, pursuant to 6 NYCRR Part 617 (State Environmental Quality Review Act {SEQRA}), and as SEQRA Lead Agency, has issued a "Negative Declaration," concluding that there will be no significant adverse environmental impacts associated with this zoning map amendment; and

WHEREAS, pursuant to New York State Town Law and the Code of the Town of Glenville, a public hearing on this proposed zoning map amendment was held by the Town Board on January 18, 2017; and

WHEREAS, the Town of Glenville Planning and Zoning Commission, at their December 12, 2016 meeting, unanimously recommended that the Town Board approve this zoning map amendment;

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Glenville hereby approves the proposal to change the zoning of 49 Saratoga Road from "Professional/Residential" to "General Business," and

BE IT FURTHER RESOLVED that the Town Board of the Town of Glenville bases its approval on the following findings:

- The proposed zoning map amendment for 49 Saratoga Road is reasonably compatible with the Land Use Plan of the Town of Glenville Comprehensive Plan, which calls for this parcel and property immediately to the south along Route 50 to be “General Business.”
- This zoning map amendment will be compatible with neighboring land uses. The zoning change allows for a relatively minor parking lot addition – extending the parking lot 60 feet to the north - of the GMC and Capitaland Subaru auto dealerships. As the northern reach of a fairly extensive commercial area along Route 50, the property being rezoned marks a somewhat abrupt transition to residential just to the north of 49 Saratoga Road. However, this zoning amendment only extends the commercial area slightly, with any further extension unlikely as the character of Route 50 decidedly transitions to single-family residential with the well-established “Return” neighborhood to the north and northwest of Capitaland Subaru.
- The proposed zoning map amendment will preserve nearby land values. This zoning map amendment only extends the commercial zoning 60 feet, with the impact to nearby properties being negligible, as the Capitaland/GMC auto dealership is a long-established business along this segment of Route 50. Further, the proposed minor extension of Capitaland’s parking in association with this zoning change will not include any additional driveways or significant infrastructure extensions. Consequently, nearby property values should be preserved.
- The character of the neighborhood will be retained following this zoning change. Capitaland’s property marks the northern extent of a long-established commercial area. The residential character to the north and west won’t be significantly impacted by a zoning change that only moves the commercial/residential zoning boundary 60 feet.
- Adoption of this zoning map amendment will not conflict with the “Purpose” provisions of Article 1 of the Town of Glenville Zoning Ordinance (Section 270-1 of the Glenville Town Code). One of the stated intents of the Zoning Ordinance is “to encourage certain types of development in areas where the land is well suited for such development, and/or where such development has already occurred, and/or where infrastructure is available to support the type and intensity of the proposed use.” The property being rezoned was already developed with a residence, and Capitaland’s property is home to a long-standing auto dealership in a location that fronts on a New York State arterial highway and where both water and sewer services are available.

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

Motion Carried

RESOLUTION NO. 69-2017

BOND RESOLUTION OF THE TOWN OF GLENVILLE, NEW YORK (THE “TOWN”), DATED February 15, 2017 AUTHORIZING THE ACQUISITION OF NEW HIGHWAY EQUIPMENT FOR THE TOWN; ESTIMATING THE COST THEREOF TO BE \$110,000.00; APPROPRIATING SAID AMOUNT THEREFOR AND AUTHORIZING THE ISSUANCE OF \$110,000.00 BONDS OF THE TOWN TO FINANCE SAID COST.

Moved by: Councilwoman Wierzbowski

Seconded by: Councilman Martin

WHEREAS, on the date hereof, the Town Board of the Town of Glenville (the "Board"), in response to a stated need for new highway equipment for the Highway Department, adopted a resolution pursuant to which it authorized the Highway Superintendent to purchase one (1) 2017 CAT 420F2 IT backhoe loader with attachments (the "Backhoe") in an amount not to exceed \$110,000.00, and that the cost of said acquisition would be paid from the proceeds of bonds; and

WHEREAS, the Board of the Town now seeks to authorize the issuance of serial bonds of the Town in order to finance the cost of the Backhoe;

NOW, THEREFORE, IT IS HEREBY RESOLVED, by the Board as follows:

SECTION 1. Pursuant to Sections 31.00 and 32.00 of the Local Finance Law, constituting Chapter 33-A of the Consolidated Laws of the State of New York (the "Law"), the Town hereby authorizes the acquisition of the Backhoe, the maximum cost thereof being hereby estimated to be \$110,000 appropriating said amount therefor and authorizing the issuance of up to \$110,000 serial bonds or bond anticipation notes to finance such cost.

SECTION 2. It is hereby determined that the period of probable usefulness of the Backhoe is fifteen (15) years pursuant to Section 11(a)(28) of the Law.

SECTION 3. The plan of financing includes the issuance of \$110,000.00 serial bonds and the levy of a tax upon all of the real property in the Town to pay the principal of and interest on said bonds as the same shall become due and owing.

SECTION 4. The temporary use of available funds of the Town, not immediately required for the purpose or purposes for which the same were borrowed, raised or otherwise created, is hereby authorized to be expended pursuant to Section 165.10 of the Local Finance Law for the specific objects or purposes described in Section 1 of this resolution. If such temporary funds are used for any expenditure authorized in this resolution, the Town intends to reimburse such funds with the proceeds of the tax-exempt borrowing authorized and identified pursuant to Section 1 above.

SECTION 5. The proposed average maturity date of the bonds authorized pursuant to this resolution is expected to exceed five (5) years.

SECTION 6. The serial bonds issued to finance the cost of each object or purpose described in Section 1 above shall mature no later than the date of the expiration of the period of probable usefulness for each such object or purpose.

SECTION 7. The Town hereby covenants and agrees with the holders from time to time of the serial bonds of the Town issued pursuant to this resolution, and any bond anticipation notes of the Town issued in anticipation of the sale of said bonds, that the Town will duly and faithfully observe and comply with all provisions of the United States Internal Revenue Code of 1986, as amended (the "Code"), and any proposed or final regulations of the Internal Revenue Service issued pursuant thereto (the "Regulations") unless, in the opinion of Bond Counsel to the Town, such compliance is not required by the Code and Regulations to maintain the exemption of interest on said obligations from Federal income taxation.

SECTION 8. Each of the serial bonds authorized by this resolution and any bond anticipation notes issued in anticipation of said bonds shall contain the recital of validity prescribed by Section 52.00 of the Law and said serial bonds and any notes issued in anticipation of said bonds shall be general obligations of the Town, payable as to both principal and interest by a general tax upon all the real property within the Town without legal or constitutional limitation as to rate or amount. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal of and interest on said serial bonds and any bond anticipation notes issued in anticipation of said bonds and provision shall be made annually in the budget of the Town by appropriation for (a) the amortization and redemption of the bonds and notes to mature in such year, and (b) the payment of interest to be due and payable in such year.

SECTION 9. Subject to the provisions of this Bond Resolution and the Law, pursuant to the provisions of Section 30.00 relative to the authorization of the issuance of serial bonds and bond anticipation notes, or the renewals of said obligations and of Section 50.00 and Section 60.00 of the Law, the powers and duties of the Board relative to authorizing serial bonds and bond anticipation notes and prescribing the terms, form and content as to sale and issuance of the bonds herein authorized and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said notes, are hereby delegated to the Supervisor of the Town, the chief fiscal officer of the Town. Pursuant to the provisions of paragraph a of Section 56.00 of the Local Finance Law, the power to determine whether to issue bonds and bond anticipation notes having substantially level or declining annual debt service, as provided in paragraph d of Section 21.00 of the Local Finance Law, is hereby delegated to the Supervisor of the Town, the chief fiscal officer of said Town. In addition to the delegation of powers described above, the powers and duties of advertising such bonds for sale, conducting the sale and awarding the bonds, are hereby delegated to the Town Supervisor, who shall advertise such bonds for sale, conduct the sale and award the bonds in such manner as he shall deem best for the interests of the Town; provided, however, that in the exercise of these delegated powers, he shall comply fully with the provisions of the Local Finance Law and any other order or rule of the State Comptroller applicable to the sale of municipal bonds.

SECTION 10. All costs and expenses in connection with the acquisition and development of the objects and purposes set forth in Section 1 above, and the financing thereof by the sale of bonds, including but not limited to, the fees and expenses of bond counsel, financial advisors, underwriters, feasibility consultants, counsel for the Town and other professionals, shall be paid to the extent permitted by law from the proceeds of the sale of such bonds.

SECTION 11. The validity of the bonds authorized by this bond resolution and of any notes issued in anticipation of said bonds may be contested only if:

- (a) Such obligations are authorized for any object or purpose for which the Town is not authorized to expend money; or
- (b) The provisions of law which should be complied with at the date of the publication of such resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication; or
- (c) Such obligations are authorized in violation of the provisions of the constitution.

SECTION 12. This resolution shall be published in full in the designated official newspapers of the Town for such purpose, together with a notice of the Town Clerk in substantially the form provided in Section 81.00 of the Law.

SECTION 13. This bond resolution shall take effect immediately upon its adoption by the required votes of the Town Board.

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

Motion Carried

Discussion...

Councilwoman Wierzbowski – “Just like the last resolution there are other bonds within the town budget that are retiring this year so the cost of these new bonds would be offset because the other bonds are retiring so town overall debt would not be increasing. It is my understanding that the amount of debt we are retiring would exceeds the amount of these two bonds so we are doing more than breaking even. I’d like to point out that the highway department and the commissioner of public works and staff have worked really hard to find ways to replace equipment within the town. I can tell you when I first came on the board seven (7) years ago the state of the equipment was horrible, there were several trucks that were borderline unable to be used. After every storm I would speak with Tom Coppola and he would tell me what broke during the storm. He moved slowly and steadily towards replacing the equipment so that is safe and efficient and serves the tax payers. I’d like to thank him and his staff for their hard work on their budget to try and control costs so that we can make purchases like this.”

RESOLUTION NO. 70-2017

BOND RESOLUTION OF THE TOWN OF GLENVILLE, NEW YORK (THE “TOWN”), DATED February 15, 2017 AUTHORIZING THE ACQUISITION OF A NEW HIGHWAY VEHICLE AND EQUIPMENT FOR THE TOWN; ESTIMATING THE COST THEREOF TO BE \$210,000.00; APPROPRIATING SAID AMOUNT THEREFOR AND AUTHORIZING THE ISSUANCE OF \$210,000.00 BONDS OF THE TOWN TO FINANCE SAID COST.

Moved by: Councilwoman Wierzbowski
Seconded by: Councilman Martin

WHEREAS, on the date hereof, the Town Board of the Town of Glenville (the “Board”), in response to a stated need for a new highway vehicle and equipment for the Highway Department, adopted a resolution pursuant to which it authorized the Highway Superintendent to purchase one (1) 2018 model Volvo VHD64F Truck with Henderson snow plow equipment (the “Truck”) in an amount not to exceed \$210,000.00, and that the cost of said acquisition would be paid from the proceeds of bonds; and

WHEREAS, the Board of the Town now seeks to authorize the issuance of serial bonds of the Town in order to finance the cost of the Truck;

NOW, THEREFORE, IT IS HEREBY RESOLVED, by the Board as follows:

SECTION 1. Pursuant to Sections 31.00 and 32.00 of the Local Finance Law, constituting Chapter 33-A of the Consolidated Laws of the State of New York (the “Law”), the Town hereby authorizes the acquisition of the Truck, the maximum cost thereof being hereby estimated to be \$210,000 appropriating said amount therefor and authorizing the issuance of up to \$210,000 serial bonds or bond anticipation notes to finance such cost.

SECTION 2. It is hereby determined that the period of probable

usefulness of the Truck is fifteen (15) years pursuant to Section 11(a)(28) of the Law.

SECTION 3. The plan of financing includes the issuance of \$210,000.00 serial bonds and the levy of a tax upon all of the real property in the Town to pay the principal of and interest on said bonds as the same shall become due and owing.

SECTION 4. The temporary use of available funds of the Town, not immediately required for the purpose or purposes for which the same were borrowed, raised or otherwise created, is hereby authorized to be expended pursuant to Section 165.10 of the Local Finance Law for the specific objects or purposes described in Section 1 of this resolution. If such temporary funds are used for any expenditure authorized in this resolution, the Town intends to reimburse such funds with the proceeds of the tax-exempt borrowing authorized and identified pursuant to Section 1 above.

SECTION 5. The proposed average maturity date of the bonds authorized pursuant to this resolution is expected to exceed five (5) years.

SECTION 6. The serial bonds issued to finance the cost of each object or purpose described in Section 1 above shall mature no later than the date of the expiration of the period of probable usefulness for each such object or purpose.

SECTION 7. The Town hereby covenants and agrees with the holders from time to time of the serial bonds of the Town issued pursuant to this resolution, and any bond anticipation notes of the Town issued in anticipation of the sale of said bonds, that the Town will duly and faithfully observe and comply with all provisions of the United States Internal Revenue Code of 1986, as amended (the "Code"), and any proposed or final regulations of the Internal Revenue Service issued pursuant thereto (the "Regulations") unless, in the opinion of Bond Counsel to the Town, such compliance is not required by the Code and Regulations to maintain the exemption of interest on said obligations from Federal income taxation.

SECTION 8. Each of the serial bonds authorized by this resolution and any bond anticipation notes issued in anticipation of said bonds shall contain the recital of validity prescribed by Section 52.00 of the Law and said serial bonds and any notes issued in anticipation of said bonds shall be general obligations of the Town, payable as to both principal and interest by a general tax upon all the real property within the Town without legal or constitutional limitation as to rate or amount. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal of and interest on said serial bonds and any bond anticipation notes issued in anticipation of said bonds and provision shall be made annually in the budget of the Town by appropriation for (a) the amortization and redemption of the bonds and notes to mature in such year, and (b) the payment of interest to be due and payable in such year.

SECTION 9. Subject to the provisions of this Bond Resolution and the Law, pursuant to the provisions of Section 30.00 relative to the authorization of the issuance of serial bonds and bond anticipation notes, or the renewals of said obligations and of Section 50.00 and Section 60.00 of the Law, the powers and duties of the Board relative to authorizing serial bonds and bond anticipation notes and prescribing the terms, form and content as to sale and issuance of the bonds herein authorized and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said notes, are hereby delegated to the Supervisor of the Town, the chief fiscal officer of the Town. Pursuant to the provisions of paragraph a of Section 56.00 of the Local Finance Law, the power to determine whether to issue bonds and bond anticipation notes having substantially level or declining annual debt service, as provided in

paragraph d of Section 21.00 of the Local Finance Law, is hereby delegated to the Supervisor of the Town, the chief fiscal officer of said Town. In addition to the delegation of powers described above, the powers and duties of advertising such bonds for sale, conducting the sale and awarding the bonds, are hereby delegated to the Town Supervisor, who shall advertise such bonds for sale, conduct the sale and award the bonds in such manner as he shall deem best for the interests of the Town; provided, however, that in the exercise of these delegated powers, he shall comply fully with the provisions of the Local Finance Law and any other order or rule of the State Comptroller applicable to the sale of municipal bonds.

SECTION 10. All costs and expenses in connection with the acquisition and development of the objects and purposes set forth in Section 1 above, and the financing thereof by the sale of bonds, including but not limited to, the fees and expenses of bond counsel, financial advisors, underwriters, feasibility consultants, counsel for the Town and other professionals, shall be paid to the extent permitted by law from the proceeds of the sale of such bonds.

SECTION 11. The validity of the bonds authorized by this bond resolution and of any notes issued in anticipation of said bonds may be contested only if:

- (a) Such obligations are authorized for any object or purpose for which the Town is not authorized to expend money; or
- (b) The provisions of law which should be complied with at the date of the publication of such resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication; or
- (c) Such obligations are authorized in violation of the provisions of the constitution.

SECTION 12. This resolution shall be published in full in the designated official newspapers of the Town for such purpose, together with a notice of the Town Clerk in substantially the form provided in Section 81.00 of the Law.

SECTION 13. This bond resolution shall take effect immediately upon its adoption by the required votes of the Town Board.

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

Motion Carried

RESOLUTION NO. 71-2017

Moved by: Councilwoman Wierzbowski
Seconded by: Councilman Martin

WHEREAS, the Highway Superintendent advises the Town Board that the Highway Department is in need of purchasing attachments for a Town-owned 2016 Bobcat Compact Track Loader to fully maximize use of the machine; and

WHEREAS, the specific attachments recommended for purchase by the Highway Superintendent are one 18" planer (high flow), one drum 18 fastcut, and one 84" sweeper; and

WHEREAS, in order to achieve cost savings the Highway Superintendent recommends the utilization of pricing available to the Town under the New York State Contract number PC67141, pursuant to Section 104 of the General Municipal Law of the State of New York;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Glenville hereby authorizes the Highway Superintendent to purchase one 18" planer (high flow), one drum 18 fastcut, and one 84" sweeper, each of which is an attachment for a Town-owned Bobcat machine, at New York State Contract pricing from Clark Equipment Co. dba Bobcat Company, to be delivered by Robert H. Finke & Sons, Inc., 1569 Route 9W, Selkirk NY 12158 in a total sum not to exceed sixteen thousand dollars (\$16,000), with said expense charged to account 04.00.5130.2000 as included in the 2017 adopted budget.

Ayes: Councilman Martin, Councilwoman Wierzbowski and Supervisor Koetzle

Noes: None

Absent: Councilman Pytlovany

Abstentions: None

Motion Carried

Discussion...

Supervisor Koetzle – "We in our budget changed from having two (2) part-time dog control officers, capped at fifteen (15) hours and one of those resigned. The Chief recommended the two (2) part time positions be consolidated into one part time position."

RESOLUTION NO. 72-2017

Moved by: Councilman Martin

Seconded by: Councilwoman Wierzbowski

WHEREAS, the Town of Glenville currently maintains two part-time Dog Control Officer positions, with one budgeted for an average work schedule of up to fifteen hours per week and the other budgeted for an average work schedule of up to ten hours per week; and

WHEREAS, due to a resignation the position budgeted for an average work schedule of up to fifteen hours per week is now vacant; and

WHEREAS, in order to achieve departmental efficiencies and ease the administrative burden, the Chief of Police recommends that the two part-time positions be consolidated into one part-time position budgeted for an average work schedule of up to twenty-five hours per week; and

WHEREAS, since January 30, 2015, Darla Gullotta has been employed by the Town of Glenville in the secondary Dog Control Officer (Part-time) position which is budgeted for an average of ten hours per week; and

WHEREAS, Ms. Gullotta has proven to be an effective employee who has carried out the responsibilities of the position in an efficient and productive manner; and

WHEREAS, the Chief of Police recommends utilizing Ms. Gullotta in the consolidated Dog Control Officer (Part-time) position budgeted for an average work schedule of up to twenty-five hours per week;

NOW THEREFORE, BE IT RESOLVED that the Town Board of the Town of Glenville hereby appoints Darla Gullotta of Campbell Avenue, Schenectady, New York, to the position of Dog Control Officer (Part-time) budgeted for an average work schedule of up to twenty-five hours per week, effective January 1, 2017, with salary and benefits as determined by the CSEA agreement with the Town.

Ayes: Councilman Martin, Councilwoman Wierzbowski and Supervisor Koetzle

Noes: None
Absent: Councilman Pytlovany
Abstention: None

Motion Carried

RESOLUTION NO. 73-2017

Moved by: Councilwoman Wierzbowski
Seconded by: Councilman Martin

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

Assessors Department
Building Department
Economic Development & Planning Department
Justice Department
Receiver of Taxes
Section 7 – January & February
Town Clerk's Office

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

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

Motion Carried

RESOLUTION NO. 74-2017

Moved by: Councilwoman Wierzbowski
Seconded by: Councilman Martin

BE IT RESOLVED, that the minutes of the regular meeting held on February 1, 2017 are hereby approved and accepted as entered.

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

Motion Carried

RESOLUTION NO. 75-2017

Moved by: Councilwoman Wierzbowski
Seconded by: Councilman Martin

WHEREAS, the Town of Glenville has the opportunity to join other Schenectady County municipalities in a tree inventory grant sponsored by the New York State Department of Environmental Conservation (NYS DEC) Urban Forestry Grant Program; and

WHEREAS, the grant application will be prepared and submitted by the Schenectady County Environmental Council (SCEAC) Invasive Species Committee on behalf of the Town of Glenville (and the other participating Schenectady County municipalities) for a project grant under the Urban and Community Forestry Program to be located on roads, highways and other property, all sites located within the Town of Glenville, the territorial jurisdiction of this Board; and

WHEREAS, Cornell Cooperative Extension of Schenectady County will administer the grant on behalf of the Town of Glenville and the other participating Schenectady County municipalities; and

WHEREAS, the grant will not require any matching funds on the part of the Town; and

WHEREAS, as a requirement of these programs, said Schenectady County Environmental Council must obtain the “approval/endorsement of the governing body of the municipality in which the project will be located”,

NOW, THEREFORE, be it resolved that the Town Board of the Town of Glenville hereby does approve and endorse the application of the Schenectady County Environmental Council for a grant under the Urban and Community Forestry Program for a project known as the Eastern Schenectady County Urban Forestry tree survey, located within this community and authorizes the Town Supervisor to execute any all documents necessary for the grant application and administration.

Ayes: Councilman Martin, Councilwoman Wierzbowski and Supervisor Koetzle

Noes: None

Absent: Councilman Pytlovany

Abstentions: None

Motion Carried

RESOLUTION NO. 76-2017

Moved by: Councilwoman Wierzbowski

Seconded by: Councilman Martin

WHEREAS, a Petition and Notice to Review the Assessment for taxation for the tax years 2016 – 2017 of the real estate owned by Michael and Amy Wilson, commonly known as 1434 Waters Road, Glenville, New York (S/B/L # 6.-2-19) was duly served upon the Assessor; and

WHEREAS, the Town, through its attorney and the Assessor are prepared to enter into an agreement and stipulation of compromise and settlement of their differences as follows:

That the proceedings for tax years 2016-17 and 2017-18 in relation to the property be settled on the following terms and conditions:

1. 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 proceeding for 2016 and later years shall be settled by establishing the assessment of the property at the revised full market value of \$335,000.00 for 2016 and \$325,000.00 for tax year 2017-18 multiplied by the applicable equalization rate for that year. That the Comptroller is authorized to calculate the amount of any refund for 2017 Town, Highway and Special District taxes already paid and to pay same over to the property owner upon receipt of a fully executed stipulation.
4. 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 full market value for those three years unless required by additions, alterations or capital improvements or in the event of a revaluation.
5. 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.
6. The parties agree that the Stipulation 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

stipulation 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 no opposition to 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 an agreement with Michael and Amy Wilson for the settlement of the tax certiorari proceeding brought relative to the property known as 1434 Waters Road under the terms outlined above.

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

Motion Carried

RESOLUTION NO. 77-2017

Moved by: Councilwoman Wierzbowski
Seconded by: Councilman Martin

WHEREAS, the Highway Superintendent has informed the Town Board that the Highway Department is in need of purchasing a dump truck with plow equipment; and

WHEREAS, the Highway Superintendent recommends purchase of a 2018 model Volvo VHD64F Truck with Henderson snow plow equipment to best meet the needs of the Town; and

WHEREAS, in order to achieve cost savings the Highway Superintendent recommends the utilization of pricing available to the Town under the New York State Contract list - Onondaga County Heavy Truck Class #8 Statewide Contract #7823, pursuant to Section 104 of the General Municipal Law of the State of New York; and

WHEREAS, the purchase is not subject to competitive bidding requirements of General Municipal Law Section 103 (1), as the purchase represents a piggybacking of the methods employed by Onondaga County for such equipment authorized by General Municipal Law Section 103 (3);

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Glenville hereby authorizes the Highway Superintendent to purchase one new 2018 Volvo VHD64F Truck with Henderson snow plow equipment at New York State Contract pricing from Beam Mack Sales, 6260 East Molloy Rd, East Syracuse, NY 13057 in a sum not to exceed two hundred ten thousand dollars (\$210,000); and

BE IT FURTHER RESOLVED that payment for said vehicle shall be made through issuance of a Bond Anticipation Note in the amount of \$210,000.

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

Motion Carried

RESOLUTION NO. 78-2017

Moved by: Councilwoman Wierzbowski

Seconded by: Councilman Martin

WHEREAS, the Highway Superintendent has informed the Town Board that the Highway Department is in need of purchasing a new backhoe; and

WHEREAS, the Highway Superintendent recommends purchase of a 2017 CAT 420F2 IT backhoe loader with attachments to best meet the needs of the Town; and

WHEREAS, in order to achieve cost savings the Highway Superintendent recommends the utilization of pricing available to the Town under the New York State Contract number PC66988, pursuant to Section 104 of the General Municipal Law of the State of New York;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Glenville hereby authorizes the Highway Superintendent to purchase one new 2017 CAT 420F2 IT backhoe loader with attachments at New York State Contract pricing from Milton CAT, 500 Commerce Drive, Clifton Park, NY 12065 in a sum not to exceed one hundred ten thousand dollars (\$110,000); and

BE IT FURTHER RESOLVED that payment for said vehicle shall be made through issuance of a Bond Anticipation Note in the amount of \$110,000.

Ayes: Councilman Martin, Councilwoman Wierzbowski and Supervisor Koetzle

Noes: None

Absent: Councilman Pytlovany

Abstentions: None

Motion Carried

RESOLUTION NO. 79-2017

**RESOLUTION ESTABLISHING AND APPOINTING MEMBERS TO SERVE ON THE
FREEMANS BRIDGE ROAD COMPLETE STREETS AND GATEWAY
REVITALIZATION STUDY ADVISORY COMMITTEE**

Moved by: Councilman Martin

Seconded by: Councilwoman Wierzbowski

WHEREAS, Town Law section 64 specifically vests the Town Board with the authority to appoint a citizens advisory and other committees; and

WHEREAS, the Town of Glenville (herein after “the Town” or “Town”) has received two grants to undertake planning related analyses focusing upon the Freemans Bridge Road Corridor: the Capital District Transportation Committee’s (CDTC) Community and Transportation Linkage Planning Program - Complete Streets Concept Plan and the New York State Department of State’s (NYSDOS) Local Waterfront Revitalization Program - Freemans Bridge Road Gateway Revitalization Study (herein after the “Study”); and

WHEREAS, a requirement of both funding agencies (CDTC & NYSDOS) is the appointment of a Study Advisory Committee to provide Study oversight, and be responsible for guiding the Study and reviewing interim and final products; and,

WHEREAS, the Town Board wishes to establish and appoint members to the Study Advisory Committee to serve in an advisory capacity as volunteers who shall serve without compensation and make no official decisions on behalf of the Town; and,

WHEREAS, the Freemans Bridge Road Study Advisory Committee shall be comprised of fourteen (14) members, to serve a term extending approximately 18 months or until the termination of the Study, appointed by the Town Board and one member, who shall be designated as Chair, appointed by the Town Supervisor;

NOW THEREFORE BE IT RESOLVED THAT:

1. The Glenville Town Board hereby establishes the Freemans Bridge Road Complete Streets and Gateway Revitalization Study Advisory Committee and upon recommendation of the Town Supervisor hereby appoints Carlos Teixeira, as its first Chairperson.
2. This resolution shall take effect immediately.

Ayes: Councilman Martin, Councilwoman Wierzbowski and Supervisor Koetzle
Noes: None
Absent: Councilman Martin
Abstention: None

Motion Carried

RESOLUTION NO. 80-2017

Moved by: Councilwoman Wierzbowski
Seconded by: Councilman Martin

BE IT RESOLVED, that the Town Board of the Town of Glenville hereby adjourns into Executive Session to discuss a personnel matter.

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

Motion Carried

Supervisor Koetzle adjourned this portion of the meeting at 7:50 PM and entered into Executive Session.

Time being 8:45 PM; Supervisor Koetzle reconvened the meeting and announced that no action was taken during the Executive Session.

Supervisor Koetzle asked for a motion to adjourn; motion to adjourn; Moved by Councilwoman Wierzbowski; Seconded by Councilman Martin, everyone being in favor the meeting was adjourned at 8:45 PM.

ATTEST:

Linda C. Neals
Town Clerk