

**MEETING OF THE TOWN BOARD
TOWN OF GLENVILLE
September 6, 2023
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, Julie Davenport, to call the roll.

Present: Supervisor Christopher A. Koetzle, Councilman James M Martin, Councilman Sid Ramotar, Councilman Robert Kirkham Jr., Councilwoman Amanda Barone.

Absent: None

Also Present: Jeffrey A. Siegel - Attorney for the Town, Jason Cuthbert- Comptroller, Vicki Hillis - Director of Human Services, Anthony Tozzi- Director of Planning, Craig D'Allaird - Commissioner of Public Works.

Town Council Reports:

Councilman Kirkham: No report

Councilwoman Barone: No report

Councilman Martin: No report

Councilman Ramotar: Reminded everyone that Oktoberfest is coming up, fall clean up in the parks. He also thanked the staff for all they do for the town and residents. Supervisor Koetzle congratulated Councilwoman on her marriage.

Public Hearing Open 7:05, Closed 7:05,

Public Hearing at 7:00 or as soon thereafter to hear all persons interested in the proposed Sewer Extension to Sewer District 5, 18 Bancker Ave. (Parcel No. 30.13-1-10).

LeChase/LaBella gave a presentation on their proposal for a new Town Hall. The complete presentation can be found using this link: [Glenville Town Board Meeting: September 6, 2023 - YouTube](#)

Privilege of the Floor: Open 7:05 PM Closed 7:16 PM

Privilege of the Floor: Jim Shear of Glenville New York

Jim spoke about his concerns regarding the migrant issue/crisis. He gave a brief description about the migrant crisis as well as things that are happening at the board and now in our area. He stated he supports and zoning laws the Town enacts to prevent this from happening in the Town of Glenville.

Supervisor Koetzle: "I'll try to go fairly quickly, there's a lot going on in the Town. First of all, our grants, the Climate Smart Grant, the grant we received to build the sidewalks in the Scotia-Glenville School District, Niskayuna, over in Alplaus and Burnt

Hills. As you know, everything is completed other than the Alplaus sidewalk project right now. But we expect to mobilize now that we've signed the agreement, we expect it will mobilize in September and hopefully have that built by mid-November. That will be the final piece of that tri school district grant and they'll be done with that and have that all complete. So, we're excited about that in 2023. The Van Buren sidewalks under yet another grant design and bid is expected to start over the winter and we expect to start that project in the spring of 2024, we hope. So, the sidewalks are being built or moving their way through the 2023 of the 2024 cycle. "Freemans Bridge Rd. Complete Streets", that's another one, the draft design approval document and environmental screens are going on now, so that should be a 2024 project. Probably most exciting for me anyway, the Scotia Glenville Bike Hike Trail, which we've been talking about forever is on the river, Mohawk River, between Schonowee Ave and Freemans Bridge Road, that is ready to go. I think we're going to start this year, as far as design and prep, then completion in 2024. They'll be doing prep work this year. So that's going well.

I got some communication from the DEC on the Kenco site that is also progressing as well. They started and then they stopped but they went out to bid for contract work to be done and they expect to be active again by May of 2024, to start to remediate the site at Kenco. There's a lot of remediation that's going to be there to take out the chemicals and toxins there, so that is continuing as well.

The Micro Enterprise Loan is starting to take off and we opened it up to Scotia, so we have a lot of Scotia businesses applying for it, as I mentioned last time.

Just to update you on parks, a lot is going on in our parks. Legacy Park first and foremost, they've been very busy working there, the gravel walkway is finished. So, now all we have to do, is have our folks build out the boardwalk that go over the wetlands. Half the lumber required for that it has been delivered or ordered and the garage is ready to accept it, as far as being able to store it. Once that's built and installed, the walkway will be complete. Bob (Councilman Kirkham) went out and looked at the ramp that they're building, it's going to be handicapped accessible to the veteran's offices and the house. It is being built as a donation from Habitat for Humanity, they were completing it today (9-6-2023) and it looks great. Lots going on out there. A lot has been done in all the parks as I reported on that last week, but I do want to just update, disc golf is being built in Indian Meadows and we're excited for that. I never played disc golf, but I played golf so maybe I can play disc golf too. Vicki has put together, a volunteer work day for September 9th, so if you're interested in building disc golf tees you can join in that. I know we have a lot of volunteer opportunities in September with Oktoberfest. But we also have to build a disc golf course as we would like to get that done if we can get that done that would be great. If you haven't been in the parks lately, take a drive around a lot it's getting done.

I do want to report on Thursdays in the Park, that was very successful year this. Good attendance on the nights, we did have two rainouts. I think as you all know; we had Bob their scooping ice cream and Amanda announcing. So, it's a great season. As you all know, Dave Hansen I mentioned this before, he lost his wife Julie to ovarian cancer. He wasn't available, he was the gentleman that always gave his time to scoop ice cream for free for Stewarts. He wasn't available so we took that on, as you know, and ask for donations from residents as they got their ice cream to throw a dollar or two in the basket. With two of our performances being rained out, so we only had three, I was

shocked and pleased that we raised \$600.00 from residents on Ovarian Cancer Researcher and Prevention. So, we will be donating that money in Julie Hansen's name to that foundation and it was the generosity of our folks that made it very successful year.

For your calendars we will be doing the 9/11 ceremony again at Max 410, so that will be 5:00 on 9/11. The ceremony will be the same as each year, so if you can make it, that would be great.

I do just want to mention that it is budget time. Jason and I met today and reviewed all the budget submissions. We had an opportunity to meet with department heads through the end of August. The submissions came in on the 31st and we are sifting through them now. I'm not going to get into it tonight because there's a lot to talk about, there's a lot of challenges facing the town and all towns. I just want you to know that the budget forum will be September 13th in this room, we have a second one September 22 at the Senior Center. Residents if you can get there, that would be important. We have a lot of challenges this year and I know we say this every year but every year the challenges get deeper and deeper. There's a lot that we have to go through, there's a lot of requests we ask for, my philosophy has always been to put everything on the table and figure out what goes in. There is a lot and not all that's going to make it obviously, but there's going to be a lot of discussion about how we get to where we need to be in 2024. So, the budget forum on the 13th would be great if folks can attend that.

A lot of comments on the migrant situation here in the Town of Glenville. Like the Niskayuna Supervisor, I was enjoying a wonderful movie at the Scotia Cinema on Wednesday night, Oppenheimer, i

t's a great movie if you get a chance to see it.

It's wonderful but three hours long which gave me a lot of time to respond to the many text messages I got based on the Bloomberg articles about how Glenville has been identified as a site for a migrant city. I had no prior knowledge of that or any indication from anybody that was going to be the case in ensuing days. Now, since about a week, we have tried to contact our elected officials, nobody's returned the calls, nobody has commented on it yet. I've been told by the media that nobody has returned to comment on a State or Federal level. The only person talking about this is the people on the local level, because we're the ones being affected by it. We've had complete and total failure from the federal, state and county level and it's been dumped on towns, villages, cities and small communities across the state and that's not right. So, we're continuing to fight. Now, some of our residents got it mixed up, they think that we have asked for this. We have not asked for this; I want to be clear on that. We can't handle this, that's the problem. Our school districts can't handle it, the towns can't handle it, we don't have the resources. I did spend a good part of Tuesday, calling 109th because the rumor broke out, if you didn't hear that 4000 migrants were on the way to the 109th. That was the rumor going on around town and our phone was blowing up on that. So, I spoke to five people at the 109th not one of them would talk. Weren't authorized to talk to me and they kept passing me on to the next person, I finally told them, we need someone to talk to us about this situation. To their credit they did have, Major General Shields who is in command of the entire National Guard in the State of New York, returned my call and he's assured me, and I told him, I was going to speak on this publicly. He's assured me that there's no plans that he knows of any migrants coming to the 109th. He's told me that he obviously will do as he's directed, but that there is no talk, there's no planning,

there's no way, in their view, they can handle migrants on the base. I told him that I was concerned because it was Homeland Security and the Biden Administration has offered federal property, and so if it's offered, does that mean that Mayor Adams can just send them at his whim? He said not exactly. He explained to me that although the National Guard, once Federalized, is under the controlled President, the National Guard otherwise is under the control, daily operations, by the State of New York. Every state is in control of National Guard. So, the Governor runs the day-to-day operations. He has assured me and Rory Fluman has made public comments and he's been assured by the governor's office that she does not endorse this plan, she does not think it's a good plan and that she will not execute that plan. So, this seems to be a false start from Homeland Security and the President, the Biden Administration. But what we're being told and assured is that there's no plan, that the governor does not endorse the plan and that that is not going to happen.

Regarding the zoning on what we can do or can't do, we'll do what we can. The Home Rule has been under attack by the State of New York incessantly since Governor Cuomo and unfortunately, Governor Hochul learned a lot under him because she's continued it. They continue to attack, Home Rule, it's a constant state constitutional right to local governments, but there is a clause in there, and I'm not the constitutional attorney here or even the attorney. But there is something that does give them a little wiggle room, that they decide that there is a pressing public need that they can, they can ignore Home Rule. That's a concern, and that's what they get around all the time and they want to try to attack. They tried to take Home Rule away in the last budget with changing the fact of affordable housing. They wanted to make sure that we weren't allowed to do anything in zoning to prevent that, that multifamily can go anywhere regardless of zoning. So, we have to stay vigilant against those attacks on Home Rule. But what we're doing here tonight is a perfect example of being proactive. We are looking to make sure that they do not turn hotels into long term multifamily rentals. These hotels were not meant for that purpose. I would argue and I'm not the planner in the room Tony, but I would argue that's a violation of site plan. That you can't just put people there with an undetermined amount of time and to stay there without any regard for the fact that hotels are supposed to be for travelers. Not a destination for an undetermined amount of time. So, we're doing all we can. As far as our zoning is concerned, we're taking the proactive steps to protect the community and you'll see there's a call for moratorium on any new hotels being built in the town. That's part of the step to say we need to take a step back and figure out how we're being impacted by this crisis before we go forward with anymore hotel applications in the Town. So, there are two things that we can do right now and I think we will go a long way in protecting the community. Other than that, we'll continue to stay vigilant and do everything we can to make sure, our community is safe.

You know, we talked about this too, from migrant point of view. How great is it to be put in a prison like situation? I mean, there's no compassion here. There's no compassion for anyone, not for the migrant, not for the community. The migrant seeking asylum, can't connect to a job if he or she is behind a fence. You can't send your kids to school when you are locked behind a fence. How do you get on and off a secure base every day to get a school bus? I am a Supervisor of this Town, I'm an American Citizen and when I step on that base, I have to give them my Social Security number, they have to do a background check and I have to give him my license. I have to be there. for specific purpose and I have to go to exactly where they tell me to go to.

How does that work when you put people on a base in other ways? So, ill thought out and I don't know who came up with it, I don't know who said it. I don't know who did the press release on it, but hopefully they lost their job, but it doesn't sound like it's going to happen. So, we'll stay vigilant on it though. Thank you”.

Sponsored by: Christopher A. Koetzle, Town Supervisor

Submitted by: Jeffrey A. Siegel, Attorney for the Town

RESOLUTION NO. 171-2023

Moved by: Councilman Martin

Seconded by: Councilman Ramotar

WHEREAS, the Town Board of the Town of Glenville has reviewed Chapter 270 of the Town Code, which Chapter legislates zoning in the Town, and has determined that certain definitions and other provisions of Article II, Article V and Article VIII of Chapter 270 require updating to address, among other things: (a) the definition of cannabis retail sale and consumption premises; (b) the regulation of short-term rentals; (c) occupancy limits for certain hotel, motel, and similar types of establishments; and (d) the amendment of certain other provisions, all as more particularly set forth in proposed Local Law No. 4 of 2023; and

WHEREAS, the proposed changes are consistent with the goal of the Town of Glenville Comprehensive Plan and are in furtherance of providing for the health, safety and welfare of Town residents; and

WHEREAS, the proposed amendment to the Town's zoning regulations is categorized as a Type II Action in that it constitutes a zoning change of less than 25 acres, does not meet any other threshold for Type I Actions, and accordingly will not result in any significant environmental impacts pursuant to the State Environmental Quality Review Act (SEQRA); and

WHEREAS, the Town submitted the proposed Local Law No. 4 of 2023 to the Schenectady County Department of Planning a Zoning Coordination Referral; and

WHEREAS, proposed Local Law No. 4 of 2023, titled “Amendment to Glenville Town Code Chapter 270 to Add and Update Certain Definitions, to Provide Regulations for Short-Term Residential Rentals, and to Add Supplemental Regulations Concerning Occupancy Limits,” has been made available for inspection by the public; and

WHEREAS, the Town Board, published notice of a public hearing with respect to Local Law No. 4 of 2023 in the Daily Gazette on August 27, 2023, and held a public hearing pursuant to the notice on September 6, 2023 at 7:00 p.m. at the Town of Glenville Municipal Center, 18 Glenridge Road, Glenville, New York 12302, and accepted comments and input from the public;

NOW, THEREFORE, IT IS RESOLVED that, after due deliberation, Local Law No. 4 of 2023 is hereby adopted, and the Town Clerk is directed to give due notice of the adoption of Local Law No. 4 of 2023 to the Secretary of State, and to take all other actions necessary and required to confirm the enactment of Local Law No. 4 of 2023.

Ayes: Councilmen Martin, Ramotar, Kirkham, Councilwoman Barone and Supervisor Koetzle.

Noes: None

Absent: None

Abstention: None

Motion Carried

Town Board Decision on September 6, 2023

Sponsored by: Christopher A. Koetzle, Town Supervisor

Submitted by: Jeffrey A. Siegel, Attorney for the Town

RESOLUTION NO. 172

Moved by: Councilman Martin

Seconded by: Councilman Ramotar

WHEREAS, the Town Board of the Town of Glenville has determined that because the Town is an attractive location for new hotels and motels, it is likely that the Town will be under considerable pressure for the development of new hotels and motels in the Town; and

WHEREAS, the Town Board desires to preserve the status quo in the Town on a temporary basis while the Town conducts studies to review and consider amendments to the Town of Glenville's zoning legislation and comprehensive plan relating to hotels and motels in the Town; and

WHEREAS, the Town needs time to gather information, make recommendations, and further review the Town's plan for new hotels or motels in the Town, in order to create and adopt necessary amendments to the Town's zoning legislation, comprehensive plan, and other applicable Town laws; and

WHEREAS, The Town has determined that it is in the best interests of the Town to plan for the potential increased demand in Town services that may be required to accommodate hotel and motel occupants; and

WHEREAS, the Town has prepared a proposed Local Law No. 5 of 2023 titled "A Local Law to Impose an Interim or Temporary Suspension on the Review,

Approval, and/or Issuance of all Permits for or relating to Hotels or Motels,” and has made that proposed local law available for inspection by the public; and

WHEREAS, the Town is required to hold a public hearing on the proposed adoption of Local Law 5 of 2023;

NOW, THEREFORE BE IT RESOLVED that the Town Board of the Town of Glenville will hold a public hearing on the adoption of proposed Local Law No. 5 of 2023, and any required environmental review, on September 20 2023 at 7:00 PM or as soon thereafter as the matter can be reached, at the Glenville Municipal Center at 18 Glenridge Road, Glenville, New York to hear all persons interested in Local Law No.5 of 2023; and

BE IT FURTHER RESOLVED that a copy of this order certified by the Town Clerk shall be published at least once in the official newspaper of the Town and that said publication be not less than ten nor more than twenty days before the September 20, 2023 public hearing date.

Ayes: Councilmen Martin, Ramotar, Kirkham, Councilwoman Barone and Supervisor Koetzle.

Noes: None

Absent: None

Abstention: None

Motion Carried

Town Board Decision on September 6, 2023

Sponsored by: Christopher A. Koetzle, Town Supervisor

Submitted by: Jeffrey A. Siegel, Attorney for the Town

RESOLUTION NO. 173-2023

Moved by: Councilman Kirkham

Seconded by: Councilwoman Barone

WHEREAS, the Town may be the owner of a four-sided piece of vacant land containing approximately 9,520 square feet located off the curve in the area where Ellsworth Avenue transitions to Birchknoll Drive (a.k.a North Street), that may be part of a plot of land once intended to be laid out as part of a public or private road, and that has never been on the Town tax rolls (“Town Parcel”); and

WHEREAS, the Town Parcel was never dedicated or otherwise conveyed to the Town, has never been used for any public purposes, is not required by the Town for public purposes, and is of no use or value to the Town; and

WHEREAS, the Town Parcel is bounded by a public road right of way, and by three

privately owned parcels, specifically: Tax Map No. 30.13-2-7 known as 9 Ellsworth Avenue and believed to be owned by George and Tina Demers ("Demers"); Tax Map No. 30.9-2-44 known as 1 Birchknoll Drive and believed to be owned by Dubrey; and Tax Map No. 30.13-4-86.1 believed to be owned by the Oak Ridge Homeowners Association; and

WHEREAS, the Town has undertaken to have the Town Parcel surveyed and assigned a Tax Map Number; and

WHEREAS, Demers owns a four-sided parcel of vacant land containing approximately 5,000 square feet located on Ballston Road and shown as Lot 55 on the map entitled "The Spearhead Plot, Glen Sanders Manor, Glenville, Sch'dy, Co., N.Y." made by Lewis B. Sebring, C.E., April 24, 1926, and filed on June 7, 1926 in the office of the Schenectady County Clerk in Cabinet E as Map 217, Tax Map No. 30.13-3-20.1, having an assessed full market value of \$7,353.00 ("Demers Parcel"); and

WHEREAS, Demers has proposed to swap the Demers Parcel for the Town Parcel; and

WHEREAS, if the Town acquires the Demers Parcel, the Town will use the Demers Parcel for public purposes; and

WHEREAS, the Town desires to convey the Town Parcel to Demers by quitclaim deed, in exchange for Demers conveying to the Town the Demers Parcel, by quitclaim deed; and

WHEREAS, pursuant to Town Law § 64(2), a town is authorized to convey real property in the name of the town upon a resolution subject to permissive referendum;

NOW, THEREFORE, BE IT RESOLVED, that, subject to permissive referendum, the Supervisor of the Town, and for and on its behalf, be and hereby is authorized to transfer to Demers the Town Parcel in exchange for the Demers Parcel; and be it

FURTHER RESOLVED, that the Supervisor of the Town is hereby authorized to execute all documents that may be required to effectuate the sale and transfer of all right, title and interest of the Town in the Town Property and to acquire the Demers Parcel in exchange for the Town Parcel; and be it

FURTHER RESOLVED, that pursuant to Sections 90 and 91 of the Town Law, that within ten (10) days from the date of this Resolution, the Town Clerk, in the same manner as provided for notice of a special election, shall post and publish a notice which shall set forth the date of adoption of this Resolution, shall contain an abstract of this Resolution concisely setting forth the purpose and effect thereof, shall specify that this Resolution was adopted subject to a permissive referendum, and shall publish such notice in the Daily Gazette, a newspaper published in Schenectady County having a general circulation in the Town of Glenville, and in addition thereto that the Town Clerk shall post or cause to be posted on the Town website a copy of such notice within ten (10) days after the date of the adoption of this Resolution.

Ayes: Councilmen Martin, Ramotar, Kirkham, Councilwoman Barone and Supervisor Koetzle.

Noes: None

Absent: None

Abstention: None

Motion Carried

Town Board Decision on September 6, 2023

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

RESOLUTION NO. 174-2023

Moved by: Councilman Ramotar
Seconded by: Councilman Martin

WHEREAS, the Town Board of the Town of Glenville, New York, retained The Bonadio Group, Certified Public Accountants, to complete an independent audit of the Town's financial statements for the fiscal year ending December 31, 2022; and

WHEREAS, the audit of the Town's financial statements for the fiscal year ending December 31, 2022 was completed on August 29, 2023 and was presented to the Town Board on September 5, 2023;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Glenville hereby approves and formally accepts the Town of Glenville independently audited financial statements for the fiscal year ending December 31, 2022, prepared by The Bonadio Group, Certified Public Accountants, 6 Wembley Court, Albany NY.

Ayes: Councilmen Martin, Ramotar, Kirkham, Councilwoman Barone and Supervisor Koetzle.

Noes: None

Absent: None

Abstentions: None

Motion Carried

Town Board decision on September 6, 2023.

Sponsored by: Christopher Koetzle, Town Supervisor
Submitted by: Vicki Hillis, Director of Human Services

RESOLUTION NO. 175-2023

Moved by: Councilman Ramotar
Seconded by: Councilman Martin

WHEREAS, the existing HVAC condensing unit at the Town of Glenville Senior Center is over twenty years old and has reached end of useful life; and

WHEREAS, the Commissioner of Public Works solicited sealed competitive bids for a new HVAC condensing unit, with said bids being returnable to the Glenville

Town Clerk by 10:00 AM on August 10, 2023 to be publicly opened and read at that time and date; and

WHEREAS, the low bidder, John W. Danforth Company, 5 Liebich Lane, Clifton Park NY 12065, submitted a bid of \$68,500, while meeting bid specifications; and

WHEREAS, the Commissioner of Public Works recommends accepting the bid from John W. Danforth Company to best meet the HVAC needs of the Glenville Senior Center; and

WHEREAS, the 2023 Amended Budget includes capital reserve funding for the purchase and installation of a new HVAC condensing unit for the Glenville Senior Center as requested by the Director of Human Services;

NOW, THEREFORE, BE IT RESOLVED, the Town Board of the Town of Glenville hereby accepts the bid of the John W. Danforth Company as the lowest qualified bidder and authorizes the Town Supervisor to enter into an agreement for the purchase and installation of a ceiling mounted 27-ton condensing unit at the Glenville Senior Center from the John W. Danforth Company, at a cost of \$68,500 with the expense charged to account AA-000-7610-2000; and

BE IT FURTHER RESOLVED, that upon installation of the new equipment, the existing condensing unit equipment is deemed surplus property eligible for disposal in the most cost-effective manner as determined by the Town Comptroller.

Ayes: Councilmen Martin, Ramotar, Kirkham, Councilwoman Barone and Supervisor Koetzle.

Noes: None

Absent: None

Abstentions: None

Motion Carried

Town Board decision on September 6, 2023.

Sponsored by: Christopher A. Koetzle, Town Supervisor

Submitted by: Julie Davenport, Town Clerk

RESOLUTION NO. 176-2023

Moved by: Councilman Kirkham

Seconded by: Councilwoman Barone

BE IT RESOLVED, that the minutes of the Regular Town Board meeting held on August 16, 2023 are hereby approved and accepted as entered.

Ayes: Councilmen Martin, Ramotar, Kirkham, Councilwoman Barone and Supervisor Koetzle.

Noes: None

Absent: None
Abstention: None

Motion Carried

Town Board Decision on September 6, 2023

Sponsored by: Christopher A. Koetzle, Town Supervisor
Submitted by: Julie Davenport, Town Clerk

RESOLUTION NO. 177-2023

Moved by:
Seconded by:

BE IT RESOLVED, that the minutes of the Regular Town Board meeting held on August 23, 2023 are hereby approved and accepted as entered.

Ayes: Councilmen Martin, Ramotar, Kirkham, and Supervisor Koetzle.
Noes: None
Absent: Councilwoman Barone
Abstention: None

Motion Carried

Town Board Decision on September 6, 2023

New Business: No new Business

Supervisor Koetzle made a motion to adjourn the meeting.

Motion: Councilman Martin
Second: Councilman Ramotar
Everyone being in favor, the meeting was adjourned at 8:04 PM

ATTEST:
Julie Davenport
Town Clerk

