

**MEETING OF THE TOWN BOARD
TOWN OF GLENVILLE
October 18, 2023
AT THE GLENVILLE MUNICIPAL CENTER
18 GLENRIDGE ROAD, GLENVILLE, NEW YORK**

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

Invocation

Pledge of Allegiance to the Flag

Supervisor Koetzle asked the Town Clerk, Julie Davenport, to call the roll.

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

Absent: Councilwoman Barone

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

Town Council Reports

Councilman Kirkham: Shared the Glenville Police Department is holding a Prescription Drug Day on October 28th from 10 AM- 2 PM. People can bring prescriptions that they no longer use and dispose of them in a proper way.

Councilman Martin: Shared he's been tracking over the months about the proposal from New York State for natural gas appliances to be banned in all new buildings by 2029 and starting in 2026 banned in all buildings under seven stories. He was pleased to share there's been a lawsuit initiated against the New York State Department of State. Bringing the lawsuit are the National Association of Builders and the National Propane Association, among others, including several building trades and labor unions. The lawsuit is being filed by Sarah Jorgensen. She is the same attorney that represented a group in the City of Berkley in California. He shared is feels very hopeful about this and can't share enough how much this will impact residents in Glenville, but all person across New York State and trying to meet their challenges of heating their homes and cooking their food. Obviously, it will take several months but he is hopeful about a positive outcome.

Councilman Ramotar: No Report

Public Hearing Open 7:06 PM Closed 7:07 PM, No one spoke.

Public Hearing at 7:00 or as soon thereafter to hear all persons interested in or making objections to the Assessment Roll for Water District No. 11 and Extension Nos. 10 through 51.

Public Hearing Open 7:07 PM Closed 7:07 PM, No one spoke.

Public Hearing at 7:00 or as soon thereafter to hear all persons interested in or making objections to the Assessment Roll for Sewer District No. 9 and Extension No. 7.

Public Hearing Open 7:07 PM Closed 7:07 PM, No one spoke.

Public Hearing at 7:00 as soon thereafter to hear all persons interested in or making objections to the Assessment Roll for Sewer District No. 1.

Public Hearing Open 7:08 Closed 7:08 PM, No one spoke

Public Hearing at 7:00 as soon thereafter to hear all persons interested in or making objections to the Assessment Roll for Sewer District No. 2.

Town of Glenville employee Jayne Peeney received a proclamation honoring her for 41 yrs. of service to the Town of Glenville. The Chief of Police, Stephen Janik, briefly spoke and presented Jayne with a plaque thanking her for her years of service. Supervisor Christopher Koetzle thanked Jayne for her years of service, presented her with a proclamation and declared Friday October 20, 2023 Jayne Peeney Day in the Town of Glenville. Jayne spoke briefly about how much she enjoyed working at the Town and thanked everyone for coming.

Privilege of the Floor: Open 7: Closed 7:26 PM

Jim Shear of Montclair Drive, Glenville NY.

Jim shared information regarding New York State Audit and the newest statistics they have. He shared other municipalities have passed resolutions and asked the Board if they would again consider passing a resolution.

David Hannel Acorn Drive, Glenville, NY.

Dave gave the annual report from this year's Oktoberfest and this year was a great success. He also thanked everyone on the executive board, all the volunteers and sponsors. Finally, he shared the Town of Glenville received the "Best Local Event in the Capital District for 2023" from the Daily Gazette for the second year in a row.

Supervisor Koetzle; No Supervisors comments to the Board

Sponsored by: Christopher A. Koetzle, Town Supervisor

Submitted by: Jason Cuthbert, Town Comptroller

RESOLUTION NO. 194-2023

Moved by: Councilman Ramotar

Seconded by: Councilman Martin

WHEREAS, the 2024 Tentative Budget for the Town of Glenville was filed with the Town Clerk on September 30, 2023; and

WHEREAS, the Tentative Budget was presented to the members of the Town Board of the Town of Glenville by the Town Clerk on September 30, 2023; and

WHEREAS, the Town Board has had the opportunity to discuss the Tentative Budget and any changes, alterations and revisions thereto as the members considered advisable and consistent with law; and

WHEREAS, the Tentative Budget as modified by the Town Board shall become the Preliminary Budget; and

WHEREAS, Section 108 of the Town Law requires that a public hearing be held by the board on said Preliminary Budget, on or before the Thursday immediately following the General Election;

NOW, THEREFORE, BE IT RESOLVED that the 2024 Tentative Budget as presented is hereby adopted as the 2024 Preliminary Budget; and

BE IT FURTHER RESOLVED by the Town Board of the Town of Glenville that a public hearing upon said preliminary budget shall be held at the Glenville Municipal Center, 18 Glenridge Road, in said Town on November 1, 2023 at 7:00 P.M., or as soon thereafter as can be reached; and

BE IT FURTHER RESOLVED that the Town Clerk be and she hereby is directed to prepare the proper notice of said public hearing and to publish and post said notice in accordance with said Section 108 of the Town Law; and

BE IT STILL FURTHER RESOLVED that the Town Clerk be and she hereby is directed to have five (5) copies produced of the Preliminary Budget for public distribution and another five (5) copies should the need arise.

Ayes: Councilmen Martin, Ramotar, Kirkham and Supervisor Koetzle

Noes: None

Absent: Councilwoman Barone

Abstentions: None

Motion Carried

Town Board decision on October 18, 2023.

Sponsored by: Christopher Koetzle, Town Supervisor

Submitted by: Stephen V. Janik, Chief of Police

RESOLUTION NO. 195-2023

Moved by: Councilman Kirkham

Seconded by: Councilman Ramotar

WHEREAS, a vacancy currently exists in the position of Secretary to the Chief of Police within the Town of Glenville Police Department; and

WHEREAS, the Chief of Police canvassed from applicable Civil Service lists to fill the position; and

WHEREAS, the Chief of Police and the Lieutenant served as an interview committee; and

WHEREAS, the Police Department committee interviewed several candidates for the position and has determined that Victoria Ingels of Glenville is the best qualified and recommends her appointment; and

WHEREAS, Ms. Ingels has accepted the position pending Town Board approval;

NOW, THEREFORE, BE IT RESOLVED, that Victoria Ingels of Glenville NY is hereby appointed to the position of Secretary to the Chief of Police effective November 6, 2023 at a starting rate for such title of \$44,280.32 per year and benefits as determined by the agreement between the Town and the CSEA Town Hall Employees Unit.

Ayes: Councilmen Martin, Ramotar, Kirkham and Supervisor Koetzle

Noes: None

Absent: Councilwoman Barone

Abstentions: None

Motion Carried

Town Board decision on October 18, 2023.

Sponsored by: Christopher Koetzle, Town Supervisor

Submitted by: Julie Davenport, Town Clerk

RESOLUTION NO. 196-2023

Moved by: Councilman Kirkham

Seconded by: Councilman Martin

WHEREAS, it is the intent of this resolution to keep Halloween a safe day for the children trick or treating in the Town of Glenville;

NOW, THEREFORE, BE IT RESOLVED that the time Halloween is to be celebrated within the Town of Glenville is from 4:00 PM to 8:00 PM on Tuesday, October 31, 2023; and

BE IT FURTHER RESOLVED that the Chief of Police be and he hereby is authorized to print notices of "Safe Tuesday Halloween" and have them distributed to the Neighborhood Watch Groups, schools, churches, newspapers and at any other locations deemed appropriate.

Ayes: Councilmen Martin, Ramotar, Kirkham and Supervisor Koetzle

Noes: None

Absent: Councilwoman Barone

Abstentions: None

Motion Carried

Town Board decision on October 18, 2023.

Sponsored by: Christopher A. Koetzle, Town Supervisor

Submitted by: Julie Davenport, Town Clerk

RESOLUTION NO. 197-2023

Moved by: Councilman Kirkham

Seconded by: Councilman Ramotar

BE IT RESOLVED, that the minutes of the Regular Town Board meeting held on October 4, 2023 are hereby approved and accepted as entered.

Ayes: Councilmen Martin, Ramotar, Kirkham and Supervisor Koetzle

Noes: None

Absent: Councilwoman Barone

Abstentions: None

Motion Carried

Town Board decision on October 18, 2023.

Sponsored by: Christopher A. Koetzle, Town Supervisor

Submitted by: Julie Davenport, Town Clerk

RESOLUTION NO. 198-2023

Moved by: Councilman Kirkham

Seconded by: Councilman Ramotar

BE IT RESOLVED that the **Monthly Departmental Reports** for September, 2023 as received from the following:

Assessors Department

Justice Department

Receiver of Taxes

Town Clerk's Office

Police Department

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

Ayes: Councilmen Martin, Ramotar, Kirkham and Supervisor Koetzle

Noes: None

Absent: Councilwoman Barone

Abstentions: None

Motion Carried

Town Board decision on October 18, 2023.

Sponsored by: Sid Ramotar, Deputy Supervisor

Submitted by: Craig D'Allaird, Commissioner of Public Works

RESOLUTION NO. 199-2023

Moved by: Councilman Ramotar

Seconded by: Councilman Martin

WHEREAS, the Town of Glenville solicited bids for targeted street paving at the 12 locations identified in Schedule A: Water Break Paving List 2023-Phase Two (attached) in which streets were damaged due to water break repairs in the past year; and

WHEREAS, the Town advertised widely and received two bids for the street paving; and

WHEREAS, the bids have been reviewed by the Commissioner of Public Works and he recommends acceptance of the low bid in the amount of \$83,206 from TLT Sealcoating, Inc., 2710 Curry Road, Schenectady, New York 12303; and

WHEREAS, funding for this expense is included in the 2023 Amended Budget;

NOW THEREFORE, BE IT RESOLVED that the Town Board of the Town of Glenville hereby accepts the low bid from TLT Sealcoating, Inc., 2710 Curry Road, Schenectady, New York 12303 in the amount of \$83,206 for targeted street paving at the 12 locations specified in the Water Break Paving List 2023-Phase Two with said expense charged to account SW-011-8340-4000 as included in the 2023 Amended Budget.

Ayes: Councilmen Martin, Ramotar, Kirkham and Supervisor Koetzle

Noes: None

Absent: Councilwoman Barone

Abstentions: None

Motion Carried

Town Board decision on October 18, 2023.

Schedule A

Water Break Paving List 2023-Phase Two

1. 198 Badgley Road, 8' x 18'
2. 1 Pinewood Drive, 13' x 46'
3. 17 Pinewood Drive, 10' x 21'
4. 135 Acorn Drive, 10' x 22', plus basin eyebrow
5. 19 Montclair Drive, 8' x 19'
6. Hollywood Drive & Yolanda Drive, 26' x 35'
7. Wheeler Drive & Wyndon Road, 30' x 60'
8. 29 High Mills Road, 5' x 25'
9. 43 High Mills Road, 14' x 40'
10. 124 Woodhaven Drive (road), 6' x 23'
11. 123 Woodhaven Drive (driveway), 23' x 9'
12. 4 Via Maria Drive, 20' x 28'

Sponsored by: Sid Ramotar, Deputy Supervisor

Submitted by: John R. Mineaux, Esq., Attorney for the Town

Legal Notice of Estoppel

NOTICE IS HEREBY GIVEN that the resolution which is published herewith, has been adopted by the Town Board of the Town of Glenville, New York on October 18, 2023, and the validity of the obligations authorized by such resolution may be hereafter contested only if such obligations were authorized for an object or purpose for which said Town is not authorized to expend money, or if the provisions of law which should have been complied with as of the date of publication of this notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of publication of this notice, or such obligations were authorized in violation of the provisions of the Constitution.

Dated: Glenville, New York
October 18, 2023
Julie Davenport, Town Clerk

RESOLUTION NO. 200-2023

Dated: Glenville, New York, October 18, 2023

BOND RESOLUTION OF THE TOWN OF GLENVILLE, NEW YORK (THE “TOWN”), DATED OCTOBER 18, 2023, AUTHORIZING THE ISSUANCE OF BONDS OF THE TOWN IN AN AMOUNT NOT TO EXCEED THE AGGREGATE PRINCIPAL AMOUNT OF \$1,083,000.00 TO FINANCE A PORTION OF THE COST FOR IMPROVEMENTS TO EXTEND THE TOWN’S EXISTING WATER DISTRICT 11 TO PROVIDE TOWN-SUPPLIED WATER TO AN AREA FORMERLY PART OF WATER DISTRICT 2, APPROPRIATING SAID AMOUNT THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,083,000.00 BONDS OF THE TOWN TO FINANCE SAID COST.

Resolution by Councilman Ramotar Seconded by Councilman Martin

WHEREAS, on October 18, 2023, the Town Board of the Town adopted a resolution calling for a public hearing in accordance with Section 202-b of the New York Town Law to review the Town’s potential authorization and funding of improvements to extend the Town’s existing Water District 11 pursuant to Section 12-A of the Town Law, to provide Town-supplied water to an area formerly part of Water District 2 consisting of (i) the installation of HDPE piping, valves and connections to existing watermains and (ii) the installation of a flowmeter and new water meters necessary to provide Town water to customers in Water District 11 in order to increase water pressure and disconnect these customers from the Village of Scotia water distribution system (collectively, the “Project”); and

WHEREAS, the Project is further detailed in a map, plan, and report prepared by the Town’s engineer, duly licensed to practice in the State of New York, Delaware Engineering, DPC, entitled “Town of Glenville: Water System Improvements for an extension of WD 11 to the Industrial Park,” and dated April 2023, as revised October 2023 (the “Map, Plan, and Report”); and

WHEREAS, as set forth in the Map, Plan, and Report, the Town’s engineers have estimated that the maximum cost of undertaking the Project is \$1,419,061.60; and

WHEREAS, pursuant to a resolution adopted by the Town Board on the date hereof, the Town Board shall conduct a hearing on November 1, 2023 in accordance with Section 202-b; and

WHEREAS, subject to the outcome of the aforementioned hearing, the Town desires to authorize the issuance of bonds in an amount up to One Million Eighty-Three Thousand Dollars (\$1,083,000.00) to finance the initial cost of the Project as determined by the Engineer, a portion of which is to be reimbursed from the net proceeds of a grant awarded to the Town from the Northern Border Regional Commission (the “NRBC Grant”) to cover a portion of the cost of the Project;

NOW, THEREFORE, IT IS HEREBY RESOLVED, by the Town Board of the Town of Glenville, New York, (by a favorable vote of not less than two-thirds of all of its members), 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 financing of the Project. The maximum aggregate cost of the Project, based upon the Report of the Engineer, dated April 2023, as amended, is hereby estimated to be \$1,419,061.60, a portion of which shall initially be paid from the issuance of up to \$1,083,000.00 bonds to finance such costs.

SECTION 2

It is hereby determined that the period of probable usefulness of the aforesaid Project is forty (40) years pursuant to Section 11.00(a)(1) of the Law;

SECTION 3

The plan of financing includes the issuance of up to \$1,083,000.00 serial bonds (the “Indebtedness”), the application of the net proceeds of the NRBC Grant, the expenditure of budgeted Town funds and available Town funds (ARPA funding), the assessment of fees upon users as may be determined by the Town Board, and, to the extent of any shortfall from such sources, 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 Project 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 Indebtedness authorized and identified pursuant to Section 1 above.

SECTION 5

The bonds issued to finance the cost of the Project 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 6

The Town hereby covenants and agrees with the holders from time to time of the Town bonds 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 7

Any 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 8

Pursuant to the regulations of the New York State Department of Environmental Conservation, the Town has determined that the Project is consistent with the findings of its generic environmental impact statement under the State Environmental Quality Review Act ("SEQRA").

SECTION 9

Subject to the provisions of this 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, Section 60.00 and Section 62.10 of the Law, the powers and duties of the Town Board relative to authorizing Indebtedness hereunder and prescribing the terms, form and content as to sale and issuance of said Indebtedness 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 privately negotiate or 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, 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 Resolution shall constitute the declaration of the Town's "official intent" to reimburse expenditures related to the additional costs of the Project authorized by Section 1 with proceeds of the bonds and notes, as required by the United States Treasury Regulation Section 1.150-2.

SECTION 14

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

Ayes: Councilmen Martin, Ramotar, Kirkham and Supervisor Koetzle

Noes: None

Absent: Councilwoman Barone

Abstentions: None

Motion Carried

Town Board decision on October 18, 2023

Julie Davenport, Town Clerk

Sponsored by: Anthony Tozzi, Director of Planning
Submitted by: Jeffrey A. Siegel, Attorney for the Town

RESOLUTION NO.201-2023

Moved by: Councilman Martin
Seconded by: Councilman Ramotar

WHEREAS, The Town regularly reviews Chapters 101 and 270 of the Town of Glenville Town Code ("Town Code") in order to confirm that the Town Code continues to address changing and evolving community needs, plans, and goals; and

WHEREAS, The Town has determined that it is in the best interests of the Town to update and amend certain provisions of the Town Code relating to building permits, yard regulations, height restriction, and accessory uses, and certain definitions; and

WHEREAS, the Town has prepared a proposed Local Law No. 6 of 2023 titled "Amendment to Glenville Town Code Chapter 101 to Require Building Permits for Accessory Structures and to Chapter 270 to Amend Certain Definitions and Change Certain Provisions Related to Accessory Uses and Structures" 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 6 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. 6 of 2023, and any required environmental review, on November 15, 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.6 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 November 15, 2023 public hearing date.

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

Motion Carried

Town Board Decision October 18, 2023

Sponsored by: Sid Ramotar, Deputy Supervisor
Submitted by: Jeffrey A. Siegel, Attorney for the Town

RESOLUTION NO. 202-2023

Moved by: Councilman Ramotar
Seconded by: Councilman Martin

RESOLUTION OF THE TOWN BOARD OF THE TOWN OF GLENVILLE, SCHENECTADY COUNTY, NEW YORK (THE “TOWN”) CALLING FOR A PUBLIC HEARING IN ACCORDANCE TO SECTION 202-b OF THE TOWN LAW TO CONSIDER AUTHORIZING IMPROVEMENTS TO EXTEND THE TOWN’S EXISTING WATER DISTRICT 11 TO PROVIDE TOWN-SUPPLIED WATER TO AN AREA FORMERLY PART OF WATER DISTRICT 2.

WHEREAS, the Town Board (the “Town Board”) of the Town of Glenville, Schenectady County, New York (the “Town”) is considering authorizing improvements to extend the Town’s existing Water District 11 pursuant to Section 12-A of the Town Law, to provide Town-supplied water to an area formerly part of Water District 2 consisting of: (i) the installation of HDPE piping, valves and connections to existing watermains; and (ii) the installation of a flowmeter and new water meters necessary to provide Town water to customers in Water District 11 in order to increase water pressure and disconnect these customers from the Village of Scotia water distribution system (collectively, the “Project”); and

WHEREAS, the Project is further detailed in a map, plan, and report prepared by the Town’s engineer, duly licensed to practice in the State of New York, Delaware Engineering, DPC, entitled “Town of Glenville: Water System Improvements,” and dated April 2023, as revised October 2023 (the “Map, Plan, and Report”); and

WHEREAS, as set forth in the Map, Plan, and Report, the Town’s engineers have estimated that the maximum cost of undertaking the Project is \$1,419,061.60, and

WHEREAS, the Town Board now intends to conduct a public hearing in accordance with Section 202-b of the Town Law with respect to undertaking the Project at such estimated maximum cost;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby calls for a public hearing to be held at a public meeting of the Town Board to be held on November 1, 2023 at 7:00 p.m. or as soon thereafter as can be heard at the Glenville Municipal Center, 18 Glenridge Road Glenville, NY 12302, to consider if it is in the public interest

to undertake the Project at a maximum cost of \$1,419,061.60 and to hear all persons interested in the subject thereof; and it is

FURTHER RESOLVED, that the Town Clerk is hereby directed to cause notice of such public hearing to be published and posted in the manner prescribed by law; and it is

FURTHER RESOLVED, that the Town Clerk is hereby directed to cause a copy of the Map, Plan, and Report to be posted at the Town Clerk's Office, Glenville Municipal Center, 18 Glenridge Road Glenville, NY 12302, and to be posted to the Town's website.

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

Ayes: Councilmen Martin, Ramotar, Kirkham and Supervisor Koetzle

Noes: None

Absent: Councilwoman Barone

Abstention: None

Motion Carried

Town Board Resolution on October 18, 2023

Sponsored by: Sid Ramotar, Deputy Supervisor

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

RESOLUTION NO. 203-2023

Moved by: Councilman Ramotar

Seconded by: Councilman Martin

WHEREAS, the Town Board (the "Town Board") of the Town of Glenville, Schenectady County, New York (the "Town") is considering authorizing improvements to extend the Town's existing Water District 11 pursuant to Section 12-A of the Town Law, to provide Town-supplied water to an area formerly part of Water District 2, with such improvements consisting of: (i) the installation of HDPE piping, valves and connections to existing watermains; and (ii) the installation of a flowmeter and new water meters necessary to provide Town water to customers in Water District 11 in order to increase water pressure and disconnect these customers from the Village of Scotia water distribution system (collectively, the "Project"); and

WHEREAS, the Project is further detailed in a map, plan, and report prepared by the Town's engineer, duly licensed to practice in the State of New York, Delaware

Engineering, DPC, entitled “Town of Glenville: Water System Improvements,” and dated April 2023, as revised October 2023 (the “Map, Plan, and Report”); and

WHEREAS, on April 19, 2023, the Town Board caused to be prepared a long environmental assessment form (“LEAF”) part 1 for the Project, in which the Town Board classified the Project as an unlisted action, declared its intent to seek lead agency status in connection with the Project, and initiated a coordinated review, all in accordance with SEQR; and

WHEREAS, the LEAF part 1 and related materials that further detailed the Project were circulated to potential involved and interested agencies, and the Town Board has received no responses from those agencies indicating opposition to the Town Board’s intent to assume lead agency status in connection with a coordinated review of the Project; and

WHEREAS, the Town Board of the Town of Glenville prepared a generic environmental impact statement (“GEIS”) for the Scotia-Glenville Industrial Park Master Plan and, on December 19, 2007, in accordance with SEQR, issued a statement of findings (“SOF”) listing the specific conditions or criteria under which future projects may be undertaken or approved, including requirements for any subsequent SEQR compliance; and

WHEREAS, as stipulated in the SOF, the Town of Glenville will need to determine water demands and determine if water infrastructure improvements are necessary for each phase of development within the Scotia-Glenville Industrial Park (“Industrial Park”), and, as set forth in the Map, Plan, and Report, the Town’s engineer determined the need to address fire flows and system redundancy due to development and anticipated development in the Industrial Park; and

WHEREAS, as set forth in the Map, Plan, and Report, the Town of Glenville has sufficient water capacity to support the Project in accordance with its approved NYSDEC water withdrawal permit; and

WHEREAS, the Project is a mitigation measure that is necessary to accommodate development within the Industrial Park, which has made the Project necessary, and therefore is consistent with recommendations outlined in the GEIS with respect to potential impacts and mitigation measures to water supply; and

WHEREAS, the GEIS indicates that the Project site may be sensitive for historic and cultural resources, and therefore the Town consulted with the New York State Office of Historic Preservation (“NYSOHP”) with respect to potential impacts, and the NYSOHP determined that the Project will have no effect on these resources; and

WHEREAS, the Project will disturb less than one (1) acre of land, will not result in an increase in impervious surface, and will not require installation of permanent

stormwater quality and quantity controls, and will incorporate best practices for construction-phase temporary erosion and sediment control; and

WHEREAS, the Town Board, has carefully reviewed the above-referenced materials prepared in connection with the Project, in accordance with Title 8 of the Environmental Conservation Law and 6 NYCRR Part 617, to determine if there are any potential significant adverse environmental impacts as a result of the action; and

WHEREAS, the Town Board has reviewed Project against the conclusions set forth in the SOF; and

NOW, THEREFORE, BE IT:

RESOLVED, that the Town Board, having received no correspondence or other communication from potential involved and interested agencies to the contrary, hereby reaffirms its status as lead agency for review of the Project; and be it further

RESOLVED, that the Town Board hereby determines that the Project is consistent with SOF, and that no Supplemental Environmental Impact Statement is necessary because the Project is within the impact thresholds and mitigation measures established in the SOF and there are no new significant adverse environmental impacts will result from the Project.

Ayes: Councilmen Martin, Ramotar, Kirkham and Supervisor Koetzle

Noes: None

Absent: Councilwoman Barone

Abstentions: None

Motion Carried

Town Board decision on October 18, 2023.

Sponsored by: Sid Ramotar, Deputy Supervisor

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

RESOLUTION NO. 204-2023

Moved by: Councilman Ramotar

Seconded by: Councilman Martin

WHEREAS, the Town of Glenville ("Town") owns and operates a water supply and distribution system that serves customers in the Town; and

WHEREAS, the Town established Water District 2 to provide the benefit of public water to approximately 625 parcels located within the Town, generally located in the

West Glen and Industrial Park neighborhoods, with water obtained from the Village of Scotia ("Village") pursuant to an intermunicipal agreement between the Village and the Town; and

WHEREAS, the Industrial Park at times experiences lower water pressures due to elevation differentials with the Village's water storage tank, which lower pressures result in failures to meet fire flow requirements; and

WHEREAS, to address safety concerns resulting from lower water pressure in the Industrial Park, the Town desires to implement a project to provide Town water to that part of the Industrial Park, comprised of twenty (20) parcels ("Industrial Park Parcels"), that presently are part of Water District 2 and are presently supplied water obtained from the Village; and

WHEREAS, as part of that project, the Town desires to extend the current Water District 11 to include the Industrial Park Parcels, and to modify existing Water District 2 in order to remove the Industrial Park Parcels from the existing Water District 2; and

WHEREAS, the Town has caused the preparation of a Map Plan and Report, dated October 2023, by Delaware Engineering, D.P.C., an Engineer licensed in the State of New York, describing: the boundaries and operations of the proposed modification of Water District 2; a general plan and description of facilities; the maximum amount to be expended; regulatory review requirements; the cost of hook-up fees, if any; the cost to the typical property; and method of financing the project; and

WHEREAS, the Town Board of the Town of Glenville, in its capacity as lead agency under SEQR, caused a generic environmental impact statement ("GEIS") to be prepared to address growth within the Industrial Park area, and on December 19, 2007, the Town Board adopted a statement a finding ("SOF") pursuant to the GEIS;

WHEREAS, among other potential environmental impacts, the GEIS analyzed the provision of public water supply to the Industrial Park, and the Town Board evaluated the proposed modifications to Water District 2 to confirm that the modifications conform to the conditions and thresholds established in the GEIS and SOF;

NOW, THEREFORE, BE IT RESOLVED that the Town Board hereby confirms that the proposed modifications to Water District 2 conform to the conditions and thresholds established in the GEIS and SOF, and hereby accepts the Map, Plan, and Report prepared by Delaware Engineering, DPC dated October 2023, as having been prepared in conformance with Section 196 of Town Law Article 12; and

BE IT FURTHER RESOLVED that a copy of the Map Plan and Report shall be available for public inspection at the office of the Town Clerk in Glenville Municipal Center, 18 Glenridge Road, Glenville, New York 12302 during regular Town Hall business hours; and

BE IT FURTHER RESOLVED that a Public Hearing on the Town Board's intent to modify the plan for Water District 2 shall be conducted on November 1, 2023 at 7:00 PM or as soon thereafter as can be heard at Glenville Municipal Center, 18 Glenridge Road, Glenville, New York 12302.

Ayes: Councilmen Martin, Ramotar, Kirkham and Supervisor Koetzle

Noes: None

Absent: Councilwoman Barone

Abstentions: None

Motion Carried

Town Board decision on October 18, 2023.

Sponsored by: Christopher A. Koetzle, Town Supervisor

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

RESOLUTION NO. 204-2023

Moved by: Councilman Ramotar

Seconded by: Councilman Martin

WHEREAS, the Town engaged the law firm of O'Connell and Aronowitz, P.C. as one of the attorneys for the Town to provide legal services regarding a variety of Town matters, including representation with respect to planning, zoning, and land use matters; and

WHEREAS, Colleen Pierson, Esq., the attorney from O'Connell and Aronowitz, P.C. who handled the day-to-day representation of the Town in planning, zoning, and land use matters, recently left O'Connell and Aronowitz, P.C. to work for the law firm of Garfunkel Wild, P.C.; and

WHEREAS, Jeffrey A. Siegel, Esq. of O'Connell and Aronowitz, P.C. recommended to the Town Board that effective October 1, 2023, the Town engage Garfunkel Wild, P.C. as attorneys for the Town with respect to planning, zoning, and land use matters at a monthly retainer of \$2,500, and that the monthly retainer payable to O'Connell and Aronowitz, P.C. be reduced by \$2,500 per month so that the Town does not incur any additional costs for legal services;

NOW, THEREFORE, IT IS RESOLVED that effective October 1, 2023 and continuing through December 31, 2023, the Town engage the law firm of Garfunkel Wild, P.C. as attorneys for the Town with respect to planning, zoning, and land use matters, at a monthly rate of \$2,500, and that the monthly retainer payable to O'Connell and Aronowitz, P.C. be reduced by \$2,500 per month; and it is further

RESOLVED, that the Town Supervisor is authorized to execute an engagement letter with the law firm of Garfunkel Wild, P.C. reflecting the terms set forth in this resolution.

Ayes: Councilmen Martin, Ramotar, Kirkham and Supervisor Koetzle

Noes: None

Absent: Councilwoman Barone

Abstentions: None

Motion Carried

Town Board decision on October 18, 2023.

New Business: No new Business

Supervisor Koetzle made a motion at 7:42 to go into Executive Session, to discuss labor contract negotiations.

Motion: Councilman Martin

Second: Councilman Ramotar

All in favor and the Board went into Executive Session.

Supervisor Koetzle made a motion at 8:02 to end Executive Session.

Motion: Councilman Martin

Second: Councilman Ramotar

All in favor Executive Session ended at 8:02

Supervisor Koetzle made a motion to adjourn the meeting.

Motion: Councilman Martin

Second: Councilman Ramotar

Everyone being in favor, the meeting was adjourned at 8:03 PM

ATTEST:

Julie Davenport

Town Clerk

