

MEETING OF THE TOWN BOARD
TOWN OF GLENVILLE
OCTOBER 18, 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, Councilman John C. Pytlovany, Councilman David Hennel and Councilwoman Wierzbowski

Absent: None

Also present – Michael Cuevas, Attorney for the Town; Jason Cuthbert, Comptroller and Kevin Corcoran, Planner

Town Council Reports:

Councilman Hennel – “This Saturday, at the Yates Mansion, we are going to be having our ‘Family Fall Day’, cider and doughnuts, popcorn and pumpkin painting for the kids.”

Councilman Martin – “I attended the County Budget Hearing last week that was remarkably disappointing. They spoke in the record about the facts associated with the short comings of that budget especially as it relates to sales tax. A resolution was offered by one of the legislatures to reopen the agreement and it was snuffed out even before it had a chance to happen. This continues to be a very disappointing situation, circumstances with the County Sales Tax issue. I will just not stop harping on it. I encourage residents to read the proposed budget, it’s on line. There is a lot of waste in that budget. Two and one-half million dollars of longevity, which is government speak for employees getting additional money just because of time being served.

I attended an Alplaus Residents Association on some final comments on the Comprehensive Plan. I appreciated the input that we heard and we came to a consensus on a few revisions to the plan that are already in the plan that is up for consideration tonight.”

Supervisor Koetzle – “We have a series of public hearings all relating to setting the assessment roll for water and sewer districts.”

Supervisor Koetzle – “Item #5 is a public hearing on the Assessment Roll for Water District No. 11 and Extensions No. 10 through 47.”

Supervisor Koetzle opened the public hearing at 7:04 pm.

No one wished to speak; Supervisor closed the public hearing at 7:05 pm.

Supervisor Koetzle – “Item #6 is a public hearing on the Assessment Roll for Sewer District No. 9 and Extension No. 7.

Supervisor Koetzle opened the public hearing at 7:06 pm.

No one wished to speak; Supervisor closed the public hearing at 7:07 pm.

Supervisor Koetzle – “Item #7 is a public hearing on the Assessment Roll for Sewer District No. 6.”

Supervisor Koetzle opened the public hearing at 7:08 pm.

No one wished to speak; Supervisor closed the public hearing at 7:09 pm.

Supervisor Koetzle – “Item #8 is a public hearing on the Assessment Roll for Alplaus Sewer District No. 1.”

Supervisor Koetzle opened the public hearing at 7:10 pm.

No one wished to speak; Supervisor closed the public hearing at 7:11 pm.

Supervisor Koetzle – “Item #9 is a public hearing on the Assessment Roll for Sewer District No. 2.”

Supervisor Koetzle opened the public hearing at 7:12 pm.

No one wished to speak; Supervisor closed the public hearing at 7:13 pm.

The following people exercised the Privilege of the Floor

Kathy Kelly, 2107 Cook Rd, Charlton (Burnt Hills Rowing – Ms. Kelly thanked the board members for attending their meeting at the BH Boathouse. They were very relieved after they saw the press release regarding the proposed development in Alplaus. They learned that it is very important to participate. She still has some concerns about some of the language in the Comprehensive Plan. The rowing association would like a chance to review the language because it effects the organization. They would like the Mohawk Riverfront section of the plan to include language to protect the area currently designated as Land Conservation. These lands have to be protected in the Comprehensive Plan to make it stick.

Jessica Evan, 31 Mohawk Ave – Ms. Evan thanked the Board. Also congratulated the Board on the Comprehensive Plan. She asked if the changes that were suggested were reflected in the Comprehensive Plan.

Councilman Martin – “yes”

Kurt Semon, 181 Droms Rd – Mr. Semon talked about the possibility of the board acting on a resolution authorizing Glenville taking the lead in the sales tax debate trying to open up negotiations with the County by involving the other towns, villages and cities. He understands and support the actions that the Board is about to take. Mr. Semon is a candidate representing Glenville, Scotia and Niskayuna as a District 3 legislature. He promised the Board that if he is elected he would pursue this issue for the people of District No. 3.

Bud Watson, Alplaus – He thanked the town for going through the process with him regarding the Alplaus Marina. He stated that you can get things done without having to yell and scream at somebody.

No one else wished to speak; Supervisor Koetzle closed privilege of the floor.

Supervisor Koetzle shared the following information:

We were awarded the 1.5 million dollar grant to the Police Department yesterday. We had a lot of questions of what's next now. So just so the public understands where we are in the process, we hired the architect, the architect has met with myself and Chief Janik, had a walkthrough of the department, the whole town hall actually. Not anything specific yet but just to kind of get a sense, a feel and so we are going to get back to the architect is a timeline of how they think we would proceed in this process. Then start having a lot more specific conversations about need and future visions and that would wrap in the entire building. Do we stay here, do we retrofit, obviously we are not going to invest 1.5 million in the building and leave it. So the architect's task is to do a rendering and a concept of staying here and then putting a price tag on that and then we can weigh that out against what a price tag may be for if we

wanted to start new or go somewhere else.

I met with the Burnt Hills Ballston Lake rowing at 5:00 PM.

Gina and I attended a ribbon cutting at Sinful Thoughts in Socha Plaza.

Councilman Hennel and I had an opportunity again to attend another Scotia Glenville joint committee meeting. We were making process in that meeting.

The Mekeel Trail is under construction. That will connect the Indian Meadows Park with the Anderson Park and so that will be the trail connection piece.

The Woodhaven one will start next week, I'm told by Highway Superintendent Coppola. As you recall we got \$220,000 for that from the State of NY.

Supervisor Koetzle moved ahead with the agenda items.

RESOLUTION NO. 208-2017

Moved by: Councilwoman Wierzbowski

Seconded by: Councilman Hennel

WHEREAS, the 2018 Tentative Budget for the Town of Glenville was filed with the Town Clerk on September 27, 2017; and

WHEREAS, the Tentative Budget was presented to the members of the Town Board of the Town of Glenville at a regular meeting of said board, held on October 4, 2017; 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 Tentative Budget as presented is hereby adopted as the 2018 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, 2017 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 ten (10) copies produced of the Preliminary Budget for public distribution and another ten (10) copies should the need arise.

Ayes: Councilmen Martin, Pytlovany, Hennel, Councilwoman Wierzbowski and Supervisor Koetzle

Noes: None

Absent: None

Abstentions: None

Motion Carried

Discussion...

Councilman Martin – “It is with great joy that I offer this resolution for our consideration. I’m very proud of this Comprehensive Plan. There are many, many people to thank, not the least of which is our planner, Kevin Corcoran. He worked hard on this. I think 98% of the words that are in the document are his, of his making. The numerous resident volunteers that worked on our resident advisory committee, the residents that attended the public information meetings. I am immensely proud of this document not just because of what it says but how it was put together. It was truly a community effort and everybody in this community needs to be commended for a wonderful process, a wonderful document that is going to give us a lot of guidance.”

Supervisor Koetzle – “Jim Martin lead the effort and I have often said if it wasn’t for Councilman Martin I don’t think this town would have taken this plan up to be honest with you. It was a daunting task and I certainly know we would not have done it from this level where we would have went out and hired someone and probably paid someone between \$250,000 and \$500,000. I just want to thank Councilman Martin’s leadership on this and all of the work he put into it.”

RESOLUTION NO. 209-2017

Moved by: Councilman Martin

Seconded by: Councilman Pytlovany

WHEREAS, the Town of Glenville Comprehensive Plan, dated October 18, 2017, has been prepared over a period of three years and is now before the Glenville Town Board for consideration of adoption; and

WHEREAS, the October 18, 2017 Comprehensive Plan replaces the 27 year-old Town of Glenville Comprehensive Plan, which was adopted in April, 1990 – a plan that has served the Town very well but has become largely obsolete; and

WHEREAS, the October 18, 2017 Comprehensive Plan is the product of considerable effort by a collective of committees and individuals, including the Comprehensive Plan Committee, Residential Advisory Committee, Town Board, staff of the Economic Development and Planning Department, and staff of the Schenectady County Department of Economic Development and Planning; and

WHEREAS, the October 18, 2017 Comprehensive Plan is also a product of input from the Town’s residents, businesses and landowners, whose feedback provided through the community survey, numerous meetings, and person-to-person interactions helped shaped many of the policies and recommendations of the Plan; and

WHEREAS, on October 4, 2017 the Glenville Town Board, as the Lead Agency in accordance with 6 NYCRR Part 617 (State Environmental Quality Review Act {SEQRA}), determined that adoption of the Comprehensive Plan will not result in a significant adverse environmental impact, and issued a *SEQRA Negative Declaration*; and

WHEREAS, the Town of Glenville Comprehensive Plan Committee held a public hearing on the Comprehensive Plan on September 18, 2017; and

WHEREAS, the Town of Glenville Town Board held a public hearing on the Comprehensive Plan on October 4, 2017;

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Glenville is hereby pleased to adopt the October 18, 2017 Town of Glenville Comprehensive Plan; and

BE IT FURTHER RESOLVED, that the Town Board offers the following in support of its decision to adopt the Comprehensive Plan:

- The October 18, 2017 Comprehensive Plan largely reflects the sentiments of the public, as brought forth by the on-line community survey that was offered for public feedback in late 2014 and early 2015; nine public information meetings held between the fall of 2014 and the fall of 2016; five Town Board work sessions held in late 2016 and early 2017; a public hearing held by the Comprehensive Plan Committee on September 18, 2017; and a public hearing held by the Town Board on October 4, 2017. And while the Plan does not advocate for every point-of-view raised by the public on every issue, an earnest attempt was made to craft and adopt a Plan that represents the consensus of most people on most issues.
- Preparation of the 2017 Comprehensive Plan was overseen by two different Town committees; the Comprehensive Plan Committee (CPC) and the Residential Advisory Committee (RAC). The CPC consisted of chairpersons of various existing Town commissions and committees (i.e. Planning and Zoning Commission, Open Space Committee, Traffic Safety Committee, etc.), while the RAC consisted of volunteer Town residents. Together, these two committees brought forth hundreds of ideas and recommendations for consideration from a cross section of the Town, resulting in a Comprehensive Plan that strives for balance, fairness and long-term relevance. Also to be noted, both the RAC and CPC recommended Town Board adoption of the October 18, 2017 Comprehensive Plan.
- Changes in technology, shifting demographics, considerable new construction of roads and infrastructure, changes in housing composition, and the surfacing of issues that were not even contemplated 27 years ago have rendered the 1990 Comprehensive Plan considerably obsolete, well-regarded and valuable though it was for a long period of time. The 2017 Comprehensive Plan addresses these shortcomings through the delivery of dozens of new goals and initiatives, as well as the extension of many goals and recommendations from the 1990 Comprehensive Plan that still resonate today.
- The 1990 Comprehensive Plan was meritorious in how it addressed a large number and variety of important topics. However, the 1990 Plan was somewhat superficial in its treatment of the subject of economic development. The Town's current administration has and will continue to advocate for responsible new commercial and industrial development and redevelopment. Consequently, the Town Board desires that the 2017 Comprehensive Plan reflect the Board's advocacy for this subject. The new Comprehensive Plan does indeed adequately reflect the Board's platform on economic development, yet it also recognizes the importance of natural resource preservation, smart growth principles, well-reasoned investments in infrastructure, community aesthetics, emergency service provision, and many other important subjects.

Ayes: Councilmen Martin, Pytlovany, Hennel, Councilwoman Wierzbowski and Supervisor Koetzle

Noes: None

Absents: None

Abstentions: None

Motion Carried

RESOLUTION NO. 210-2017

Moved by: Councilman Hennel

Seconded by: Councilwoman Wierzbowski

WHEREAS, due to an employee retirement there is a vacancy in the Glenville Highway Department; and

WHEREAS, the Highway Superintendent conducted interviews for the position of Laborer to fill the vacancy; and

WHEREAS, the Highway Superintendent recommends that Jonathan Wanmer be appointed to the position;

NOW THEREFORE, BE IT RESOLVED that the Town Board of the Town of Glenville hereby provisionally appoints Jonathan Wanmer, 612 Sanders Ave, Glenville, New York to the position of Laborer, effective October 16, 2017, at a starting rate for such title of \$14.91 per hour and benefits as determined by the agreement between the Town and the Highway Department Employees Association.

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

Motion Carried

RESOLUTION NO. 211-2017

Moved by: Councilman Hennel
Seconded by: Councilwoman Wierzbowski

WHEREAS, a vacancy currently exists in the position of Information Processing Specialist I 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 Chief's Executive Secretary served as an interview committee; and

WHEREAS, the Police Department committee interviewed several candidates for the position and has determined that Eric Potts, of 129 Glen Avenue, Scotia, is the best qualified and recommends his appointment; and

WHEREAS, Mr. Potts has accepted the position pending Town Board approval;

NOW, THEREFORE, BE IT RESOLVED, that Eric Potts, of 129 Glen Avenue, Scotia NY, is hereby appointed to the position of Information Processing Specialist 1 effective October 30, 2017 at a starting rate for such title of \$34,781.23 per year and benefits as determined by the Civil Service Employees Association agreement with the Town.

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

Motion Carried

RESOLUTION NO. 212-2017

Moved by: Councilman Pytlovany
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 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, 2017; 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, Pytlovany, Hennel, Councilwoman Wierzbowski and Supervisor Koetzle

Noes: None

Absent: None

Abstentions: None

Motion Carried

RESOLUTION NO. 212-2017

Moved by: Councilman Pytlovany

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 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, 2017; 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, Pytlovany, Hennel, Councilwoman Wierzbowski and Supervisor Koetzle

Noes: None

Absent: None

Abstentions: None

Motion Carried

RESOLUTION NO. 214-2017

Moved by: Councilman Hennel

Seconded by: Councilwoman Wierzbowski

WHEREAS, a Member of the Town Board of the Town of Glenville is introducing "A LOCAL LAW OF THE TOWN OF GLENVILLE, AUTHORIZED BY CHAPTER 290 OF THE LAWS OF 2017, AMENDING LOCAL NO. 2 OF 2008 AND EXTENDING THE EFFECTIVE PERIOD OF THE PARTIAL EXEMPTION FROM TAXATION ON QUALIFYING REAL PROPERTY OWNED BY COLD WAR VETERANS, AS PERMITTED BY SECTION 458-B OF THE REAL PROPERTY TAX LAW OF THE STATE OF NEW YORK, FROM TEN YEARS TO AS LONG AS THE COLD WAR VETERAN REMAINS A QUALIFYING OWNER." ; and

WHEREAS, a duly scheduled public hearing must be held in order to amend the existing code by Local Law;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Glenville will meet at the Glenville Municipal Center, 18 Glenridge Road, Glenville, New York on Wednesday, November 1, 2017 at 7:00 P.M., or as soon thereafter as possible, at which time it will hear all persons interested in the proposed local law to amend Local Law No. 2 of 2008 and Article III "Cold War Veterans' Exemption", Chapter 245, "Taxation" chapter of the Code of the Town of Glenville; and

BE IT FURTHER RESOLVED that the Town Clerk be and she is hereby authorized and directed to prepare and publish the proper public notice of said hearing in accordance with law

Ayes: Councilmen Martin, Pytlovany, Hennel, Councilwoman Wierzbowski and Supervisor Koetzle

Noes: None

Absent: None

Abstentions: None

Motion Carried

RESOLUTION NO. 215-2017

Moved by: Councilman Martin

Seconded by: Councilman Pytlovany

WHEREAS, by Resolution 139-12, the Schenectady County Legislature approved an agreement with the City of Schenectady providing for the distribution of sales tax revenue in the County of Schenectady for the period commencing December 1, 2012 and ending November 30, 2020; and

WHEREAS, the term of the said sales tax distribution agreement exceeded the term of all prior sales tax distribution agreements previously made and entered by the County; being eight (8) years, instead of the norm of four years; and

WHEREAS, the aforesaid sales tax distribution agreement fixed the total amount to be distributed to the towns and villages in the County from the base 3% sales tax in a fixed dollar amount of \$7,772,064, without increase, regardless of the increase in the total amount of sales tax collected by County during the term of this agreement; and

WHEREAS, unlike the towns and villages, the City of Schenectady was guaranteed the same *percentage* of the 3% sales tax during the term of the agreement as it had in year one of the agreement, allowing the city's dollar amount of sales tax revenues to increase as the total amount of sales tax revenue increased; and

WHEREAS, fixing the shares of the \$7,772,064 that each town or village receives to the proportion that the full valuation of real property in that municipality bears to the total full valuation of taxable real property of all the towns (and villages) as adopted for tax apportionment purposed for 2012, those towns with growing tax bases are not compensated for that growth; and

WHEREAS, the only growth in sales tax revenue in the aforesaid distribution agreement that is shared with the towns is the growth in the 30% of the additional (Metroplex) one-half percent (.15 of a percent) of sales tax; and

WHEREAS, since the approval of the aforesaid sales tax distribution agreement, the state government has imposed a real property tax levy cap on all municipalities, effectively limiting the ability of the towns and villages to keep pace with the rising costs of employee health insurance, retirement system costs and other

expenses, especially since their sales tax revenues have been essentially stagnant; and

WHEREAS, our neighboring counties distribute sales tax between their county government and their municipalities in a fairer manner (e.g. Saratoga County: 50% to the county and 50% to the towns) compared to our county which currently has the county keeping approximately 75% of all new sales tax revenues, the City of Schenectady approximately 13%, the Metroplex Development Authority 8.75%, with the five towns and two villages splitting the remaining 3.75% of all new sales tax revenues; and

WHEREAS, since the approval of the aforesaid sales tax distribution agreement, the Rivers Casino was opened in the City of Schenectady, providing the City of Schenectady and the County of Schenectady, a new, unanticipated source of revenue in the approximate amount of \$2.75 million each per year, a revenue that the towns and villages do not share in;

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Glenville hereby finds that the aforesaid sales tax agreement has become inequitable to the towns and villages in this county due to the ever diminishing percentage of total County sales tax revenue shared with those municipalities; and

BE IT FURTHER RESOLVED that there have been material changes in circumstances since the approval of the aforesaid sales tax distribution agreement (e.g. the property tax cap and casino revenue) which warrant a reassessment of the manner in which sales tax is distributed within this county, a reopening of the existing agreement and renegotiation with the City of Schenectady with all the towns and villages represented and having a voice in such renegotiations; and

BE IT STILL FURTHER RESOLVED that the Town Board hereby directs that the Town Supervisor transmit a copy of this resolution to the County Manager, the Chairman of the County Legislature and all County Legislators representing Legislative District 3 with this Board's urgent request a meeting with the elected Supervisors of all the towns in the County and the Mayors of the City and villages be immediately convened to commence negotiations on a new sales tax distribution agreement to take effect as soon as legally practicable; and

BE IT STILL FURTHER RESOLVED that the Supervisor is hereby authorized to contact our state legislators, the Association of Towns, the New York Conference of Mayors, and such other organizations as he deems appropriate to research, draft and introduce legislation to ensure that Towns and Villages in this state are guaranteed a fair share of sales tax generated in their municipalities.

Ayes: Councilmen Martin, Pytlovany, Hennel, Councilwoman Wierzbowski and Supervisor Koetzle

Noes: None

Absent: None

Abstention: None

Motion Carried

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

ATTEST:

Linda C. Neals
Town Clerk