

MEETING OF THE TOWN BOARD
TOWN OF GLENVILLE
MARCH 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, Councilman David A. Hennel and Councilwoman Gina M. Wierzbowski

Absent: Councilman John C. Pytlovany

Also present – Michael Cuevas, Attorney and Jason Cuthbert, Comptroller

Town Council Reports:

Councilman Hennel – “On the parks I am scheduling meetings with Deputy Supervisor MacFarland when he returns from vacation. We are going to be discussing the parks. I have actually received some recommendations from some residents on some ideas for some of the parks, including Maalwyck Park. I will further explore those and discuss them with Deputy Supervisor MacFarland.

Some of our service clubs in the Town are hosting an Inner Club Dinner and I will be attending that to discuss some of the ways they can work together to help us with some of our projects especially the fitness track.”

Councilwoman Wierzbowski – “I would like to remind the residents that since we received quite a bit of snow clearing out the hydrants in front of your home is very important. People don’t often think of it but in an emergency every second counts.”

Councilman Martin – “The “Let’s Talk Business” event is scheduled for Thursday, April 20th. There will be more information forthcoming.”

Supervisor Koetzle – “Item No. 5 is a public hearing to consider comments on an application by James Hale seeking a variance from the temporary town moratorium that prohibits the establishment of townhouses, duplexes, twin homes and two-family dwellings within the “Suburban Residential” zoning district. Mr. Hale is requesting to submit a conditional use permit application to build a duplex on the vacant lot at 810 Pleasantview Avenue.”

Supervisor Koetzle opened the public hearing at 7:03 PM

James Hale, 1008 Pleasantview Avenue – “I am here to ask the Town Board to give me a variance to the waiver on the moratorium for duplexes. I met with the Planning Board last month and the vote came up to a 3-3 tie so they did not make a recommendation either way. Three of the board members were very much in favor of it, one board member was very much against it, the other two board members that voted no – one was wishy washy and could be changed he said and the third one said if I could somehow tie the plan that I provided to the Planning Board into what I am going to ask for he would change his vote to a “yes” vote because he loved the duplex. (Mr. Hale passed out copies to the Board members).

810 Pleasantview Avenue has been a problem for the Town of Glenville for about twenty (20) years. I have driven by it for about twenty-five (25) years. The house was abandoned about twenty (20) years ago, I purchased it with the roof caved in and the porch falling off it. The neighbors, including myself, were outraged with the condition it’s been in for twenty (20) years.

It’s an extremely large lot. To me it’s way too big for a single family house.

All of the lots, where I live, are 60' by 120' or 80' by 120'. This is 120' by 140'. To put a house on that lot the conducive for resale just won't fit in the neighborhood, it would be 90% lawn. I would like to build a duplex there, not for resale, I'd like to retain it. My daughter is graduating from physician's assistant school this year. She got a job locally and I like to see her there as a starter home and rent the other half out to, I think I have a retired couple that want to down size in the Town of Glenville so it's not going to be for resale. That being said you can see the picture of what was there and that what you are looking at is in very good condition, it was not like that when I bought it. The duplex, I'm proposing is a single story, brick front and you really can't tell it's a duplex. The Town Board has copies of letters that the neighbors gave me. It is now up to fifteen neighbors that are supporting it. There's nobody down there that's opposed to it that I know of.

The Planning Board said there are no duplexes down in that area, that's why they really didn't want to approve it. I took time to drive the neighborhood, I know it very well now because I live there but I was a fireman in the Village of Scotia for twenty-five years. There are twenty-eight two-family homes or duplexes from Mohawk Avenue down to the river. A piece of that is the Village of Scotia but for us that live down there all consider that lower Glenville. I'm not talking about Mohawk Avenue down by Gabriels, I'm talking about the Mohawk Avenue by Toll and Holmes Streets, and there are twenty-eight two-family homes or duplexes. The Planning Board also said they don't give special use permits for duplexes in suburban residential neighborhoods. In 2011 you gave four of them for 633/634 Mohawk Avenue, 640/642 Mohawk Avenue, and 648/650 Mohawk Avenue and in 2012 641/643 Mohawk Avenue all in the Town of Glenville, all within a four miles. In 2014 in a suburban residential area you gave a duplex permit for 491/493 Vley Road which is underneath the 147 bridge. So to say they haven't been granted, they have been granted.

When I bought the land in April I didn't know there was a moratorium coming or else I would have been ahead of the game. I took my time this summer to clear the lot and cleaned up all of the garbage, get the house removed and disposed of for the plans to move ahead this year. I would ask that you give me one more bite of the apple, give me the waiver so I can go back to the Planning Board and somehow tie this picture in for the approval process and ask the Planning Board for a conditional use permit."

Supervisor Koetzle – "Mr. Hale, one question, I think you said the lots are usually 60' by 120', is that what you said?"

Mr. Hale – "Yes, I'm 80' by 120'."

Supervisor Koetzle – "Have you considered splitting the lot?"

Mr. Hale – "I did and being it's a corner lot, with the setback needed for a corner lot being that gives you front yards, it just didn't work out with the setbacks. I talked about that with Kevin Corcoran."

Supervisor Koetzle – "You mentioned letters, I haven't seen the letters but we have had calls against it. So just to say that no neighbors are against it may not be accurate, we are getting calls against it.

A question I had for you was, you looked at potentially splitting it and not being able to do that, what is the hardship if you were to build a single-family?"

Mr. Hale – "To tell you it was a hardship, I can't tell you that. The hardship is once I cleared the lot and saw how big it was, to build a house down there I have one of the better houses in the entire six block neighborhood down there. I might sell for \$180,000 and I'm top of the line. Houses down there are only selling for \$138,000 - \$140,000 to \$155,000. To build a house, you can't build a house for \$155,000 today. I could never sell what I would build there."

Supervisor Koetzle – "So this is for your own ownership."

Mr. Hale – "I'm not going to occupy the single family house. I has intentions

from day one, not researching the laws to put a nice duplex up for my future retirement and retaining ownership of it. My business would maintain it.”

Councilman Martin – “You say the lot is 120’ by 140’?”

Mr. Hale – “Correct”

Councilman Martin – “And it’s a corner lot.”

Mr. Hale – “Yes”

Councilman Martin – “I would merry up an area variance request with the subdivision and then you may have a buildable lot depending on the outcome of the application. I’d like to see that effort made before we go to the extent of this waiver. You’ll know the outcome of that within sixty (60) days give or take and that’s a viable option and then you have two (2) buildable lots if that works out in favor.”

Mr. Hale – “I would have rather had the duplex to retain as my retirement home. I just don’t want to build something to sell it. I want to build something and retain it.”

Councilman Martin – “It is obviously not mine to tell not to do this for our retirement but you would have one lot for yourself and one lot for your daughter. I just like to see if there are any alternatives there that could be considered. The moratorium is reflective of the top three if not top two issues that we heard about in the comprehensive plan survey and at the meetings people stated that retention of the single family neighborhood and the retention of the integrity of the single family neighborhoods and that is what we are trying to respond to.”

Supervisor Koetzle – “I think what Councilman Martin is hitting on that what is difficult about this waiver in particular is that the comprehensive plan is pretty much going the exact opposite way. It is taking duplexes, two-families and twin-homes out of single family residential. So for us to grant a waiver in the face of where the comprehensive plan is going based on input from the entire town I think would be extraordinary and that is why I asked about the hardship. It would have to be for me, a very extraordinary hardship to go against two years of work on changing zoning to remove these from single-family neighborhoods.”

Councilman Hennel – “When you listed some of the duplexes you saw in the four mile range, a lot of those were listed on busy county roads. You have like eight of those were on Mohawk Avenue and another two on Vley Road. Within the six block range that you were talking about that you live in how many two-families are in the six block range where you are looking to put this.”

Mr. Hale – “To correct your statement that wasn’t a four mile radius that was a quarter mile radius. They are within four miles but there are twenty-eight at the addresses. I will give you a copy of those too. Pleasantview Avenue has two of them, two of them within sight of you house. South Holmes Street, right on the next block down has one, Eagleman Avenue has one I won’t go through the list but lower Glenville has twenty-eight of them. Now they have been there for years, I will not deny that but they are there.”

Supervisor Koetzle – “I would be interested to know how many are in the Village and how many are in the Town. Not tonight.”

Mr. Hale – “I believe of the twenty-eight there are twelve in the Village and that leaves sixteen in the Town.”

No one wished to exercise the privilege of the floor.

Supervisor Koetzle moved ahead with the agenda items.

Discussion...

Councilwoman Wierzbowski – “We have been researching and making plans to put in new water meters town wide that would be automated for reading. Making things more efficient and save us a little bit of time and effort to try and get correct readings and correct discrepancies in readings in the past where residents were either overcharged or undercharged inadvertently. So for me having been here since we started talking about this it is an exciting thing that we are moving forward with this project finally because I think it is going to do a real benefit for the residents.”

Supervisor Koetzle – “You are absolutely right Councilwoman Wierzbowski. You say since you have been involved, I had an employee tell me they have been hearing about this project for two administrations prior to this. It’s quite an undertaking and like many of the other things we are doing in the town when you are able to get your finances in order first, like cutting your debt, protecting the fund balance with capital investments doing these types of things, cutting your operational costs you are able to make these investments. I want to congratulate the Board for all of their work in getting us to this point.”

RESOLUTION NO. 89-2017

Moved by: Councilwoman Wierzbowski

Seconded by: Councilman Hennel

A RESOLUTION TO AUTHORIZE JOHN M. MCDONALD ENGINEERING TO CALL FOR BIDS FOR THE TOWN OF GLENVILLE WATER DISTRICT RESIDENTIAL WATER METER REPLACEMENT PROJECT CONTRACT NO. 1 – RESIDENTIAL WATER METER PROCUREMENT.

WHEREAS, the Town of Glenville has determined that a need exists for new residential water meters throughout the Town’s Water District; and,

WHEREAS, the plans and specifications for the Town of Glenville Water District Residential Water Meter Replacement Project Contract No. 1 – Residential Water Meter Procurement have been prepared by John M. McDonald Engineering;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Glenville, acting as Commissioners of Water District No.11, hereby authorizes John M. McDonald Engineering to call for bids in accordance with municipal bidding procedures for work associated with the Town of Glenville Water District Residential Water Meter Replacement Project Contract No. 1 – Residential Water Meter Procurement, and

BE IT FURTHER RESOLVED, that the Town Clerk of the Town of Glenville shall cause Notice to be published in the official newspaper of the Town of Glenville at least ten (10) days before the date of reception of bid proposals.

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

Noes: None

Absent: Councilman Pytlovany

Abstention: None

Motion Carried

RESOLUTION NO. 90-2017

Moved by: Councilwoman Wierzbowski

Seconded by: Councilman Hennel

A RESOLUTION TO AUTHORIZE JOHN M. MCDONALD ENGINEERING TO CALL FOR BIDS FOR THE TOWN OF GLENVILLE WATER DISTRICT RESIDENTIAL WATER METER REPLACEMENT PROJECT CONTRACT NO. 2 – RESIDENTIAL WATER METER INSTALLATION & COORDINATION.

WHEREAS, the Town of Glenville has determined that a need exists for new residential water meters throughout the Town’s Water District; and,

WHEREAS, the plans and specifications for the Town of Glenville Water District Residential Water Meter Replacement Project Contract No. 2 – Residential Water Meter Installation & Coordination have been prepared by John M. McDonald Engineering;

NOW, THEREFORE, BE IT RESOLVED, that that the Town Board of the Town of Glenville, acting as Commissioners of Water District No.11, hereby authorizes John M. McDonald Engineering to call for bids in accordance with municipal bidding procedures for work associated with the Town of Glenville Water District Residential Water Meter Replacement Project Contract No. 2 – Residential Water Meter Installation & Coordination, and

BE IT FURTHER RESOLVED, that the Town Clerk of the Town of Glenville shall cause Notice to be published in the official newspaper of the Town of Glenville at least ten (10) days before the date of reception of bid proposals.

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

Motion Carried

RESOLUTION NO. 91-2017

Moved by: Councilwoman Wierzbowski
Seconded by: Councilman Hennel

WHEREAS, by Resolution No. 86-2017, the Town Board of the Town of Glenville adopted an order requesting an extension to Water District No. 11 of the Town of Glenville be established to include real property described by section, block and lot number in the petition, consisting of one parcel located at 55 Swaggertown Road in the Town of Glenville and directed publication of a Notice of Public Hearing on such matter; and

WHEREAS, the order was not included in the publication,

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Glenville rescinds Resolution No. 86-2017 and hereby adopts the following order:

ORDER

1. A petition to add an Extension to Water District No. 11 from an existing water line in the right of way of Swaggertown Road and 55 Swaggertown Road has been filed with the Town Clerk on or about February 23, 2017.
2. The real property to be included in the extension is described by section, block and lot number as identified on the Schenectady County Real Property Tax Service Agency Tax Map as: 30.9-2-14.
3. The improvements proposed are the installation of a service lateral connection to the water main of approximately 100 feet for an individual service connection along the route described in “1” as indicated above.
4. The amount proposed to be expended for the extension is approximately

\$2000.00 to be borne entirely by the developer.

5. No portion of the cost this extension will be attributable to Water District No.11.
6. The estimated annual cost to the typical property is:
 - a. District: \$52.27
 - b. O & M: \$47.05
7. The requirement for a map, plan and report describing the extension has been dispensed with as the service lateral connects to a water main previously approved by Town Board with additional lateral connections
8. The proposed financing method to be employed in the construction of this connection in this Water district extension is private financing by the developer.
9. Town Board of the Town of Glenville will hold a public hearing on the petition to establish this extension to Water District No. 11 on April 5, 2017 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 the establishment of this extension to the Water district

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 April 5, 2017 public hearing date.

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

Motion Carried

Discussion...

Supervisor Koetzle – “There were two mowers put into the budget but the Commissioner of Public Works decided that one mower and one UTV made more sense since we are now opening the trails between Indian Meadows and the Anderson Park through the Mekeel property. We really need this equipment now to get into the trails with equipment, saws and things like that. We to be able to ride the trail rather quickly.”

RESOLUTION NO. 92-2017

Moved by: Councilman Martin
Seconded by: Councilwoman Wierzbowski

WHEREAS, the Commissioner of Public Works has informed the Town Board that the Parks Department is in need of purchasing one new commercial lawnmower; and

WHEREAS, the Commissioner of Public Works recommends purchase of one Toro Commercial 60-inch Zero Turn Mower, model 74950, to best meet the needs of the Town; and

WHEREAS, in order to achieve cost savings the Commissioner of Public Works recommends the utilization of pricing available to the Town under the New York State Contract number PC66756, 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 Commissioner of Public Works to purchase one Toro Commercial 60-inch Zero Turn Mower, model 74950, at New York State Contract pricing from Grassland Equipment, 892-898 Troy Schenectady Rd, Latham NY 12110 in a total sum not to exceed seven thousand nine hundred dollars (\$7,900), with said expense charged to account 01.00.7110.2000 as included in the 2017 adopted budget.

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

Motion Carried

Discussion...

Supervisor Koetzle – “I would just like to point out that one of the unanticipated expenses that is requiring this resolution is NYS came in late with their requirement, DOT, that a fulltime inspector be present even though the work wasn’t being done in the roadway anywhere in the right-a-way, they had to be present. So that was the biggest issue related to why we need to expend the extra money.”

RESOLUTION NO. 93-2017

Moved by: Councilman Martin
Seconded by: Councilwoman Wierzbowski

WHEREAS, Resolution 230-2015 authorized the Town of Glenville to enter into a contract with John M. McDonald Engineering, 7 S. Church St., Schenectady, NY, 12305, for engineering services related to the Town Center Lighting Project; and

WHEREAS, the project, now nearing completion, has been subjected to several unanticipated expenses, most notably a requirement by the New York State Department of Transportation that an inspector be present on a full-time basis even for work not performed in the roadway; and

WHEREAS, these additional requirements resulted in project engineering costs in excess of the original contract amount; and

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Glenville hereby authorizes a change order to the Town Center Lighting Project engineering services contract with John M. McDonald Engineering, with a revised contract maximum of sixty thousand dollars (\$60,000), and authorizes the Supervisor of the Town of Glenville to enter into agreement with John M. McDonald Engineering for same, and

IT IS HEREBY FURTHER RESOLVED that funds for such engineering work be charged to account number 82.00.5182.4400 as directed by the Town Comptroller.

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

Motion Carried

RESOLUTION NO. 94-2017

Moved by: Councilwoman Wierzbowski
Seconded by: Councilman Martin

WHEREAS, the Town of Glenville has been engaged in a Master Load Response Services Agreement (“MLRSA”) and associated Load Response Schedule—NYISO Special Case Resource with CPower for several years, and

WHEREAS, the current agreement between the Town of Glenville and CPower, is about to expire and the Town has reviewed proposal from CPower and NRG Curtailment Solutions (NRGCS);

WHEREAS, the Deputy Supervisor and the Town's energy consultant believe the Town would be best served by entering to an agreement with NRGCS for a term of five (5) years, and

WHEREAS, the consideration for and terms and conditions of the agreement are stated in the enrollment form, a copy of which is attached hereto, and made a part hereof,

NOW, THEREFORE, BE IT RESOLVED, that the Supervisor of the Town of Glenville is hereby authorized to execute the attached enrollment form between NRGCS and the Town of Glenville; and

BE IT FURTHER RESOLVED that the Supervisor is authorized to send a notice of termination of the Town's agreement to CPower upon adoption of this resolution.

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

Noes: None

Absent: Councilman Pytlovany

Abstention: None

Motion Carried

RESOLUTION NO. 94-2017

Moved by: Councilwoman Wierzbowski

Seconded by: Councilman Martin

WHEREAS, the Town of Glenville has been engaged in a Master Load Response Services Agreement ("MLRSA") and associated Load Response Schedule—NYISO Special Case Resource with CPower for several years, and

WHEREAS, the current agreement between the Town of Glenville and CPower, is about to expire and the Town has reviewed proposal from CPower and NRG Curtailment Solutions (NRGCS);

WHEREAS, the Deputy Supervisor and the Town's energy consultant believe the Town would be best served by entering to an agreement with NRGCS for a term of five (5) years, and

WHEREAS, the consideration for and terms and conditions of the agreement are stated in the enrollment form, a copy of which is attached hereto, and made a part hereof,

NOW, THEREFORE, BE IT RESOLVED, that the Supervisor of the Town of Glenville is hereby authorized to execute the attached enrollment form between NRGCS and the Town of Glenville; and

BE IT FURTHER RESOLVED that the Supervisor is authorized to send a notice of termination of the Town's agreement to CPower upon adoption of this resolution.

Ayes: Supervisor Koetzle

Noes: None

Absent: Councilman Pytlovany

Abstention: None

Motion Carried

RESOLUTION NO. 95-2017

Moved by: Councilman Hennel
Seconded by: Councilwoman Wierzbowski

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

Assessors Department
Building Department
Economic Development & Planning Department
Highway/DPW - January
Justice Department
Receiver of Taxes
Town Clerk's Office

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

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

Motion Carried

RESOLUTION NO. 96-2017

Moved by: Councilman Hennel
Seconded by: Councilwoman Wierzbowski

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

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

Motion Carried

New Business

Councilman Hennel – “I would like to thank the Scotia Glenville Lions Club for a nice spaghetti dinner that they hosted in the Town and I believe the proceeds are going to help pay for the new splash pad they are building down in Collins Park.”

Supervisor Koetzle – “I want to thank Chief Janik for working so hard on getting grants to replace his side arms and his long rifles. So what was going to be a capital expense where we would look into the 2018 budget is now essentially paid for, all 22 side arms and 6 long rifles through this grant.

I really want to thank Tom Coppola and the employees in the highway department. I think they did a phenomenal job in keeping up with four inches an hour at times. They came around, not just my street, they did everyone’s street. It was a great effort and I really appreciate it.

I want to thank the Comptroller for working on a, doesn’t sound like a lot but it was very disruptive this past week or so with the new phones being installed. This phone project is very important to us. Our phones are about twenty-five years old. The new phone offer so many options for us and more capability where we can get our

messages to email and forward them to our cell phones.

Happy St. Patrick's Day to all."

Supervisor Koetzle asked for a motion to adjourn; motion to adjourn; Moved by Councilman Martin; Seconded by Councilwoman Wierzbowski, everyone being in favor the meeting was adjourned at 7:29 PM.

ATTEST:

Linda C. Neals
Town Clerk