

MEETING OF THE TOWN BOARD  
TOWN OF GLENVILLE  
JUNE 19, 2019  
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, Councilmen John C. Pytlovany, Michael Aragosa, Michael R. Godlewski and Councilwoman Gina M. Wierzbowski

**Absent:** None

Also present were Michael Cuevas, Attorney for the Town, Jason Cuthbert, Comptroller, Vicki Hillis, Director of Human Services

Town Council Reports

Councilman Godlewski – “My thoughts and condolences to the former Schenectady Mayor Karen Johnson who passed away. Karen had a huge impact on our local community, she was a strong advocate for the arts and the community and my thoughts are with her family.

The Zoning Revision Committee met earlier in June. We continued our discussion in review of the zoning code. We talked about whether or not flag pole lots would be legal going forward in the Code. We also discussed what car dealerships would do with access inventory. I understand with the road closure, specifically with the development that is going on at the County Airport that that may be an issue for Mohawk Honda specifically.”

Councilman Aragosa – “I had the opportunity to participate in the Flag Day Parade along with the Supervisor and Councilman Godlewski.

I talked with Tom Coppola today and their new sweeper in on the road and they are doing their best to get the roads cleaned.”

Supervisor Koetzle – “Item No. 5 is a public hearing to hear all persons interested in the proposed local law to amend Section 88-7, “Seizure of dogs; redemption of dogs; impound fees” chapter of the Code of the Town of Glenville.

Supervisor Koetzle opened the public hearing at 7:05 PM; no one wished to speak; Supervisor Koetzle closed the public hearing at 7:06 PM.

Privilege of the Floor

The following people spoke during privilege of the floor.

Paul Brino, 298 Hoffmans Hill Road – Mr. Brino mentioned an article in the paper regarding a lot of people moving out of Duanesburg because they don’t have high-speed internet. He also informed the board that part of Glenville especially the remote areas do not have high-speed internet. When he started hearing it he called Pattersonville Phone Company to tell them to the have to get on the grant, they were all excited. They got the grant. Spectrum/Time Warner at the time told us they had 100% coverage at the time across the river which was not true. Internet is everything, he doesn’t get cable. He thinks it is a monopoly that they did it to Pattersonville so that they wouldn’t bring it over there. Mr. Brino asked if there was anything that the board could do to assist him. He feels that we really need to push it. He stated that the Duanesburg Supervisor was able to get the grant to get the fibers upgraded in their township.

He also talked about the closure of Wolf Hollow Road. It is really not in bad shape. That is an outlet road all the way over to Rte. 147. It is a straight shot and everyone likes to come through it.

Supervisor Koetzle – “Sir, I don’t want to interrupt you but Wolf Hollow is a county road, the county made the decision. I would strongly urge you to address the County Legislature on that because we brought these very things you are about to say. I want to let you know it is not a town decision. It’s completely a county decision.”

Mr. Brino – He was hoping that the town could put some pressure on them. At the end of the day there is going to be a fatality.

No one else wished to exercise the privilege of the floor.

Supervisor Koetzle moved ahead with the agenda items.

### **RESOLUTION NO. 112-2019**

**Moved by:** Councilman Pytlovany

**Seconded by:** Councilwoman Wierzbowski

**WHEREAS**, a vacancy exists in the Police Department for the position of police officer and is budgeted for the second half of 2019; and

**WHEREAS**, Michelle Arreola is on the current certified list from Schenectady County Civil Service; and

**WHEREAS**, an Interview Committee consisting of police department officials and a representative of the PBA met with potential candidates, conducted interviews and made its recommendation that Michelle Arreola be selected as that candidate; and

**WHEREAS**, the Police Chief hereby concurs with the recommendation of the Interview Committee; and

**WHEREAS**, that the compensation and benefits for the said Officer be as set forth in the current P.B.A. Contract,

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board does hereby approve the appointment of Michelle Arreola, of 1984 Ridge Road, Glenville N.Y. 12302 to the position of Police Officer in the Glenville Police Department, with an effective date of July 9, 2019; and

**BE IT FURTHER RESOLVED** that the Town Clerk, on behalf of this Town Board, be and she hereby is authorized and directed to notify said officer of the aforementioned appointment.

**Ayes:** Councilmen Pytlovany, Aragosa, Godlewski, Councilwoman Wierzbowski and Supervisor Koetzle

**Noes:** None

**Absent:** None

**Abstentions:** None

### **Motion Carried**

Chief Janik – “Thank you to the Town Board. I really enjoyed the interview process. We had some really good candidates. One of the things that impressed me the most about Michelle is that she came right out and told us the Glenville was her only pick. Obviously on the Schenectady County Civil Service list you can be canvassed by multiple agencies and I believe she was. She said to me that Glenville was her only place because she lived here, raising a family here, her parents are from here and it made me very happy that she was dedicated to this department and this community. Thank you very much for

that.

She currently serves with the New York Army National Guard and holds the rank of 1<sup>st</sup> Lt, so she already has rank over a lot of people in the department. She started her military career in 2006 and she is stationed at 42<sup>nd</sup> Infantry Division in Troy, NY. Michelle is here tonight with her parents, her son Clark and her husband Valentine who is Deputy Sheriff of the Schenectady County Sheriff's Department.

Michelle Arreola was sworn in by Supervisor Koetzle.

Update on the Freemans Bridge Road Gateway Revitalization project by Creighton Manning Engineering.

A power point presentation was given showing a scope of the work, review some of the major design items, where are the impacts based on what the design was, the main jurisdiction of the design and also what funding opportunities are out there for this project.

(The entire presentation can be viewed on our website [www.townofglenville.org](http://www.townofglenville.org) )

Supervisor Koetzle shared the following information:

CSEA had a labor management meeting with Jason Cuthbert, Comptroller, Mike Cuevas and myself. It was a very good and productive meeting. The main agenda item on the meeting was how well the summer hours are working, since everybody wants to evaluate that. Clearly when you institute a new program there are going to be some bumps and some things along the way. The consensus from CSEA is that the summer hours are working very well. Jason ran an analysis to show that they were actually getting more work hours done in 2019 than we did in 2018 and 2017. Where we are starting to have some concerns with the workload is we did not have summer help this year in May. So we had to allocate more highway hours into parks in 2019 over 2018. Secondly the weather has had an effect on the workload, we have had a very wet spring. That has put us back on some projects. The third thing we have to deal with is the increase in demand services. Every year it seems like we are getting more and more calls and more and more services out there. Although hours worked has increased also requests for work has also increased.

Speaking on broadband in rural areas I had an opportunity as a member of the executive board of the Association of Towns to be part of the delegation going to DC the first week in June. We went to Washington to lobby our legislatures here from the capital region but also those on the committees for certain things. We spoke to them about broadband access in rural areas. There needs to be more money and more investments being put into broadband. The same can be said for here in NYS, there really is very little for all that has been done in the session this year down in Albany. Very little has been done. If anything at all infrastructure investments and particularly expanding broadband in rural areas. That is something we are asking our representatives to work on and secondly infrastructure money and if the feds are going to send infrastructure money to the states we ask they do not send it to Albany. Albany cannot be trusted with money coming from Washington. We know that if it goes to Albany it is going to end up either at the MTA or one of the bridges in NYC. We want the money to go directly to the communities and we want fare equal allocation between the communities so that every community gets something as opposed to some communities getting everything and many getting nothing.

An update on our open position in planning. In lieu of having a planner all of these weeks we have a contract with Barton Loguidice to help us with all of the work that is coming in. They do come in here and work out of our office. We are on second interviews with the final candidates for that position. We had an interview today and another one on Friday and then hopefully we will have a decision shortly after that.

Last Saturday I attended a ground breaking at Oakhill School for a new

gymnasium. This gymnasium was very important for them. They had to try and get transportation to the YMCA previously. The population they deal with is very difficult. So this new gymnasium will give them the ability to have onsite structure for the kids that attend the school.

I had the opportunity today, to go down to Sacandaga School and sit with the parents to experience drop-off down there, which is chaos down there. This is the part of the town and the village that come together on Broad Street and Schermerhorn Street. Part of Broad Street is our and part of it is in the village but neither side has sidewalks. There were a lot of cars, a lot of kids all in the same area trying to get to school. I set up a meeting with the mayor and the superintendent in July. We are going to go out there with the police chiefs and look at what we can do. I think it is going to end up being a village issue, we only have three houses on Broad Street.

As you know the Dutch Meadows PUD is in front of the Glenville Environmental Conservation Committee (GECC) on June 24<sup>th</sup>, then onto the Planning Board and then before us, hopefully, by our August meeting.

Mohawk Honda is also progressing, just so you are aware and that's on track for a potential final approval on July 8<sup>th</sup>. I know there is a list of things they have to address.

I also met with the providers of the electric charging stations. Working with Vicki Hillis and Tom Coppola we have sited all of the spots in the park, all our properties where those chargers will go. We are moving slowly through the process. They should be here shortly and hopefully installed by the end of the summer.

I also received the draft report on the proposals for town hall options. The draft report has five (5) options. They narrowed it down to two (2) suggestions and one preferred option. They are asking for a little more time to finish up some more information before we have a work session on that. I am anticipating that potentially we could have a work session as early as July on it but probably more likely August.

In that line Barton and Loguidice is also working with DASNY on SAM grants and DASNY has indicated that they need to know what we are doing with our 1.5 million dollars. So, a decision one way or the other really has to come shortly and we have to keep moving on that.

Time Warner has had a problem with the franchise fee. We received many calls here at town hall. Your bill probably reflects it as every bill in town seems to have gotten an upcharge in their franchise fee. Mike and I have been in contact with Time Warner. Their government relations gentleman has indicated that they are now aware of the problem because we brought it to their attention. They are working on the problem. He did not elaborate what the problem was or promise that it wouldn't happen in next month's billing cycle but once they get it fixed they will go back and issue credits. If you get any calls on this it is a known problem, they are working on it and residents will get their credits.

Lastly just some financial news. Last week the state released new tax base growth factors for all municipalities. You all should be proud. Of course Glenville has the highest in the county. This is a measure of year over year growth in the local tax base. Ours was just under 1%. Doesn't sound like a lot but that represents twenty million dollars in new tax base in the Town of Glenville. The average in the county was .4% so we are more than double in growth. This tax base growth will add another \$85,000 in allowable tax base in the 2020 budget. Our year to date court revenues are up 15% from last year which is significant. We are on pace for our highest court revenue since 2013. If we could just get it a little bit higher we'll be at the highest since 2009.

Looking towards next year, because we will be in budget season soon, we will receive our preliminary 2020 health insurance costs already and these estimates for these premium increases will range probably between 5 to 6%. We face an increase of roughly a \$100,000 if these rates hold, in health care spending in the 2020 budget.

Lastly with eleven months left on the 2019 tax cap year we finish this year's virtually guaranteed to be the maximum 2% next year. So that will allow us an additional \$185,000 in new tax levy for 2020. We just talked about the health insurance taking \$100,000. I can guarantee you that the increases in the contractual increases in the raises are much more than \$85,000. So we are again going into 2020 with a higher burden cost then what our tax cap is going to allow."

Councilwoman Wierzbowski – "Going back to the Broad Ban Initiative, when I was working with Assemblywoman Walsh, there was a state initiative for municipalities who have blank spots in their broad ban coverage could apply. There was funding that was allocated and the municipality had to apply for it and manage it. I don't know if that initiative is still there but it might not be a bad idea to reach out to her office to see if they could check on it. I do know that Galway applied and was able to take advantage of that."

Supervisor Koetzle – "I will double check it, I think that it did not survive."

Councilman Pytlovany – "You said our court revenue was up, which is great. I think that it has a lot to do with us maintaining a full police department and adding one officer to our department last year and obviously adding another one tonight. I think that has an effect on our court revenue".

Supervisor Koetzle – "The Chief has reinstituted the traffic division. He has assigned an officer to the traffic car. That hasn't even taken effect with these numbers yet."

Supervisor Koetzle moved ahead with the agenda items.

#### **RESOLUTION NO. 113-2019**

**Moved by:** Councilwoman Wierzbowski

**Seconded by:** Councilman Aragosa

**WHEREAS**, the County of Schenectady has established the Airport Business Park on property that was no longer needed for Schenectady County Airport purposes; and

**WHEREAS**, certain parcels along Airport Road in the Airport Business Park have been conveyed to private parties who require water and sewer services; and

**WHEREAS**, Schenectady County has constructed certain water and sewer infrastructure in the Airport Business Park; and

**WHEREAS**, by Resolution 98-19, the Schenectady County Legislature approved the conveyance of certain easements and water and sewer infrastructure in the Airport Business Park to the Town of Glenville by a proposed Inter-municipal Agreement, a copy of which is attached hereto; and

**WHEREAS**, the Town Commissioner of Public Works supports the conveyance of the easements and water and sewer infrastructure;

**NOW THEREFORE, BE IT RESOLVED** that the Town Board of the Town of Glenville hereby authorizes the Supervisor to enter into an agreement with the County of Schenectady by which it accepts three easements (described in Exhibits A, B and C of the proposed inter-municipal agreement) and certain water and sewer infrastructure contained in said easements for dedication as part of Water District 11 and Sewer District 9, respectively to be effective with the passage of this resolution and receipt by the Commissioner of Public Works of properly stamped "as-built" drawings of said infrastructure improvements and recording of the easements by the County.

**Ayes:** Councilmen Pytlovany, Aragosa, Godlewski, Councilwoman Wierzbowski and Supervisor Koetzle  
**Noes:** None  
**Absent:** None  
**Abstention:** None

**Motion Carried**

**RESOLUTION NO. 114-2019**

**Moved by:** Councilwoman Wierzbowski  
**Seconded by:** Councilman Pytlovany

**WHEREAS**, the Zoning Board of Appeals consists of five (5) members and two (2) alternate members; and

**WHEREAS**, due to the resignation of Harry Willis as an alternate member of the Zoning Board of Appeals there exists a vacancy;

**NOW THEREFORE, BE IT RESOLVED** that the Town Board of the Town of Glenville hereby appoints Joe Vullo, 8 Sheldon Drive, Ballston Lake, NY to fulfill the term left vacant by said resignation effective immediately and terminating 12/31/2021.

**Ayes:** Councilmen Pytlovany, Aragosa, Godlewski, Councilwoman Wierzbowski and Supervisor Koetzle  
**Noes:** None  
**Absent:** None  
**Abstentions:** None

**Motion Carried**

**RESOLUTION NO. 115-2019**

**Moved by:** Councilman Pytlovany  
**Seconded by:** Councilwoman Wierzbowski

**WHEREAS**, a vacancy currently exists in the position of Dog Control Officer (part-time) within the Town of Glenville Police Department; and

**WHEREAS**, the Chief of Police canvassed all applicants with relevant experience; and

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

**WHEREAS**, the Town committee interviewed several candidates for the position and has determined that Heather Newell, of 3160 North Thompson Street, Schenectady NY, is the best qualified and recommends her appointment; and

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

**NOW, THEREFORE, BE IT RESOLVED**, that Heather Newell, of 3160 North Thompson Street, Schenectady NY, is hereby appointed to the position of Dog Control Officer (part-time) effective June 4, 2019 at a starting rate for such title of \$17.82 per hour and benefits as determined by the Civil Service Employees Association agreement with the Town.

**Ayes:** Councilmen Pytlovany, Aragosa, Godlewski, Councilwoman Wierzbowski

and Supervisor Koetzle  
**Noes:** None  
**Absent:** None  
**Abstention:** None

**Motion Carried**

**RESOLUTION NO. 116-2019**

**Moved by:** Councilwoman Wierzbowski  
**Seconded by:** Councilman Pytlovany

**WHEREAS**, the Water and Sewer User Fee Roll of the Town of Glenville has been approved for collection as of June 1, 2019; and

**WHEREAS**, such warrant for Water District #11 totals \$1,485,701.95 including water rents receivables, Special Contracts and Sewer;

**NOW, THEREFORE, BE IT RESOLVED** that the Town Board of the Town of Glenville hereby accepts such roll.

**Ayes:** Councilmen Pytlovany, Aragosa, Godlewski, Councilwoman Wierzbowski and Supervisor Koetzle  
**Noes:** None  
**Absent:** None  
**Abstentions:** None

**Motion Carried**

**RESOLUTION NO. 117-2019**

**Moved by:** Councilwoman Wierzbowski  
**Seconded by:** Councilman Godlewski

**WHEREAS**, the Town of Glenville requires appropriate computer equipment to perform governmental functions; and

**WHEREAS**, the Town attempts to replace approximately one-fourth of its computers on an annual basis, in keeping with best practice recommendations; and

**WHEREAS**, the Town has utilized New York State contract pricing to procure nine Dell Optiplex 5060 Small Form Factor computers with requisite software and specifications as recommended by Repeat Business Systems, the Town's technology vendor; and

**WHEREAS**, the total cost of this purchase is \$8,386.20, which is included within 2019 budgeted appropriations; and

**WHEREAS**, the Town of Glenville purchasing policy requires the Town Board approve equipment purchases greater than \$6,000;

**NOW, THEREFORE, BE IT RESOLVED** that the Town Comptroller is authorized to purchase nine computers from Dell Marketing LP, available at New York State contract pricing, at a total cost not to exceed \$8,386.20.

**Ayes:** Councilmen Pytlovany, Aragosa, Godlewski, Councilwoman Wierzbowski and Supervisor Koetzle  
**Noes:** None  
**Absent:** None  
**Abstentions:** None

**Motion Carried**

**RESOLUTION NO. 118-2019**

**Moved by:** Councilwoman Wierzbowski  
**Seconded by:** Councilman Godlewski

**WHEREAS**, the Village of Scotia has submitted a proposal to extend the current agreement with the Town of Glenville to provide fire protection and emergency medical services to the Town of Glenville Fire District No. 4 for a three year term commencing January 1, 2020 with an annual cost increase to Fire District No. 4 of 2%, resulting in the following annual cost to the district: \$471,220.26 for contract year 2020, \$480,644.67 for 2021 and \$490,257.56 for 2022; and

**WHEREAS**, the Town Board wishes to hold a public hearing with respect to the proposed agreement to give taxpayers in the Town of Glenville Fire District No. 4 and others an opportunity to be heard on said proposed fire protection district agreement;

**NOW, THEREFORE, BE IT RESOLVED**, that a public hearing be held by the Town Board of the Town of Glenville with respect to the approval of a proposed contract with the Village of Scotia to provide fire protection and emergency medical services to the Town of Glenville Fire District No. 4 for a term of three year, with an annual cost increase to Fire District No. 4 of 2% per year, resulting in the following cost to the district: \$471,220.26 for contract year 2020, \$480,644.67 for 2021 and \$490,257.56 for 2022 at 7:00 PM on July 17, 2019, at the Glenville Municipal Center, 18 Glenridge Road, Glenville, New York, and it is further

**RESOLVED** that the Town Clerk is hereby authorized and directed to cause public notice of said hearing to be given as provided by law.

**Ayes:** Councilmen Pytlovany, Aragosa, Godlewski, Councilwoman Wierzbowski and Supervisor Koetzle  
**Noes:** None  
**Absent:** None  
**Abstentions:** None

**Motion Carried**

**Discussion...**

Supervisor Koetzle – “This extension is for the Yates Mansion. This is exciting for us because it means the next phase is moving forward with the infrastructure into the house. Once we get that in there then we will run plumbing.”

**RESOLUTION NO. 119-2019**

**Moved by:** Councilwoman Wierzbowski  
**Seconded by:** Councilman Aragosa

**WHEREAS**, a written petition has been presented to and filed with the Town Clerk of the Town of Glenville requesting an extension to Sewer District No. 9 of the Town of Glenville be established to include a parcel of real property at 133 Maple Avenue in the Town of Glenville; and

**WHEREAS**, a map, plan and report prepared by for the extension of a town sewer line along Maple Avenue was previously filed in the office of the Town Clerk of the Town of Glenville which anticipated lateral connections for the parcels abutting same, including 133 Maple Avenue;

**NOW, THEREFORE, BE IT RESOLVED** that the Town Board of the Town of Glenville hereby adopts the following order:



## ORDER

1. A petition to add an Extension to Sewer District No. 9 from an existing manhole in Maple Avenue to the premises at 133 Maple Avenue has been filed with the Town Clerk.
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: 23.-2-15.13.
3. The improvements proposed are the installation of a lateral connection to the main of approximately 200 feet for an individual service connection.
4. The amount proposed to be expended for the extension is approximately \$6,000.00 to be borne entirely by the property owner, the Town of Glenville.
5. No portion of the cost this extension will be attributable to Sewer District No. 9.
6. The estimated annual cost to the typical property is:
  - a. District debt service: \$ 60.47
  - b. O & M: \$208.73.
7. The map, plan and report describing this extension to Sewer District 9 regarding this potential extension is on file in the Town Clerk's Office and may be inspected by members of the public.
8. The proposed financing method to be employed in the construction of this connection in this sewer district extension is private financing by the developer.

**NOW, THEREFORE BE IT RESOLVED** that the Town Board of the Town of Glenville will hold a public hearing on the petition to establish this extension to Sewer District No. 9 on July 17, 2019 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 sewer district; 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 July 17, 2019 public hearing date.

**Ayes:** Councilmen Pytlovany, Aragosa, Godlewski, Councilwoman Wierzbowski and Supervisor Koetzle  
**Noes:** None  
**Absent:** None  
**Abstention:** None

## Motion Carried

### RESOLUTION NO. 120-2019

**Moved by:** Councilwoman Wierzbowski  
**Seconded by:** Councilman Pytlovany

**WHEREAS**, the Town of Glenville regularly replaces outdated equipment and vehicles for which it has no current use or expected future use; and

**WHEREAS**, the Town Comptroller has completed an inventory of Town vehicles and equipment and has identified several pieces which no longer serve any useful purpose for the Town;

**NOW, THEREFORE, BE IT RESOLVED**, that the equipment and vehicles listed below are hereby declared surplus, and the Town Comptroller is authorized to dispose of said vehicles and equipment in the most cost effective manner possible:

- Fifteen Dell computers (replaced by new machines)
- Four computer servers (replaced by new servers)

- Miscellaneous obsolete computer printers, monitors, and telephone network equipment
- One HP DesignJet 800 PS printer
- 1993 International Truck, VIN ending in 3619
- 5,600 old water meters (all those replaced by radio-read water meters)

**Ayes:** Councilmen Pytlovany, Aragosa, Godlewski, Councilwoman Wierzbowski and Supervisor Koetzle

**Noes:** None

**Absent:** None

**Abstention:** None

### **Motion Carried**

### **RESOLUTION NO. 121-2019**

**Moved by:** Councilman Godlewski

**Seconded by:** Councilman Aragosa

**WHEREAS**, the Town of Glenville has been considering the enactment of a Local Law to amend the Code of the Town of Glenville to amend Chapter 88 “Animals”, Section 88 - 7 “Seizure of dogs; redemption of dogs; impound fees”; and

**WHEREAS**, a resolution was duly adopted by the Town Board of the Town of Glenville calling for a public hearing to be held by the Glenville Town Board at the Glenville Municipal Center, 18 Glenridge Road, Glenville, New York at 7:00 PM to hear all interested parties on a proposed Local Law entitled, “A Local Law to Amend the Code of the Town of Glenville, Section 88-7, “Seizure of dogs; redemption of dogs; impound fees”; and

**WHEREAS**, notice of said public hearing was duly advertised in the Daily Gazette, the official newspaper of the Town of Glenville, on June 8, 2019 and posted on the Town Clerk’s sign board on June 6, 2019; and

**WHEREAS**, this Town Board has held a public hearing with respect to the adoption of said Local Law on June 19, 2019 at 7:00 PM, at which time all parties in interest were afforded an opportunity to be heard and to publicly comment on said Local law, amending the Code of the Town of Glenville; and

**WHEREAS**, pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) (“SEQR”), the Town Board has determined that the adoption of the proposed Local Law does not constitute an action as defined and could be considered without regard to SEQR; and

**WHEREAS**, the Town Board of the Town of Glenville, after due deliberation, finds it in the best interest of the Town to adopt said Local Law,

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board of the Town of Glenville does hereby establish a Local Law to amend the Code of the Town of Glenville to adopt Local Law #3 of 2019, amending Section 88-7, entitled “Seizure of dogs; redemption of dogs; impound fees”, as set forth below:

### **Local Law Number 3 of 2019**

#### **A local law amending the Code of the Town of Glenville Section 88-7. Seizure of dogs; redemption of dogs; impound fees**

Be it enacted by the Town Board of the Town of Glenville as follows:

#### **Section 1. Short Title and Applicability.**

Updated Redemption of Dogs Fees and Impound Costs Act. This local law shall apply to the fees and costs charged to dog owners to redeem dogs seized and impounded in

the Town of Glenville.

**Section 2. Declaration of Policy.**

The costs of sheltering dogs which have been seized for violation of this Chapter, Chapter 195 of the Code of the Town of Glenville or Article 7 of the New York State Agriculture and Markets Law have increased dramatically since this section was last revised in 2010. The Town Board hereby declares it to be the policy of the Town that the individual dog owners should bear the cost of sheltering their dogs when those dogs are redeemed after seizure. Currently, the vast majority of the cost \$62 of the \$65 daily cost is borne by Town taxpayers. Assessing the cost of sheltering to the dog owners will promote compliance with the dog ordinance and dog safety.

**Section 3.** Section 88-7 "Seizure of Dogs; redemption of dogs; impound fees" of the Code of the Town of Glenville is amended to read as follows:

A. Any Dog Control Officer may seize any dog in the Town of Glenville:

(1) Which is unlicensed or untagged, in violation of §§ 109 and/or 111 of the Agriculture and Markets Law.

(2) Which is not leashed or under the control of its owner, in violation of § **88-1A(1)** of this article or § **195-17** of Chapter **195** of this Code.

B. Any dog seized pursuant to Subsection **A** of this section shall be impounded, fed, cared for or disposed of as provided in § 117 of the Agriculture and Markets Law.

C. The owner of any dog impounded by the Town of Glenville shall be entitled to redeem that dog within five business days, excluding the day the dog is impounded, provided that the owner produces proof that the dog is licensed and can be identified as the dog licensed to the owner and pays a fee of \$50 for the first impoundment; \$75 for the second impoundment; and \$100 for a third or subsequent impoundment within 12 months of the first impoundment. In addition to the impoundment fee an additional fee equal to the total of all fees and/or costs that are chargeable to the Town under the terms of the Town's agreement with the Animal Protective Foundation for sheltering services relating to cases of impoundment shall apply in all cases.

**Section 4. Severability.**

If any provisions of this local law are held to be unconstitutional or otherwise invalid by any court of competent jurisdiction, the remaining provisions of the local law shall remain in effect.

**Section 5. Effective Date.**

This local law shall take effect twenty (20) days after filing with the Secretary of State.

**BE IT FURTHER RESOLVED** that this resolution shall take effect twenty days after it is filed with the Secretary of State of the State of New York.

**Ayes:** Councilmen Pytlovany, Aragosa, Godlewski, Councilwoman Wierzbowski and Supervisor Koetzle

**Noes:** None

**Absent:** None

**Abstentions:** None

**Motion Carried**

**RESOLUTION NO. 122-2019**

**Moved by:** Councilman Godlewski

**Seconded by:** Councilman Aragosa

**BE IT RESOLVED** that the **Monthly Departmental Reports** for May, 2019 as received from the following:

Assessors Department  
Economic Development & Planning Department  
Justice Department

Police Department  
Receiver of Taxes  
Town Clerk's Office

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

**Ayes:** Councilmen Pytlovany, Aragosa, Godlewski, Councilwoman Wierzbowski  
and Supervisor Koetzle

**Noes:** None

**Absent:** None

**Abstentions:** None

**Motion Carried**

New Business:

Councilman Aragosa – “Scotia-Glenville graduation ceremony will be held on Saturday, July 29<sup>th</sup> at Proctors.”

Supervisor Koetzle – “Burnt-Hills graduation ceremony will be held on Wednesday, July 26<sup>th</sup> at SPAC.”

Supervisor Koetzle asked for a motion to adjourn; motion to adjourn; Moved by Councilman Pytlovany, Seconded by Councilman Godlewski, everyone being in favor the meeting was adjourned at 8:20 PM.

ATTEST:

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Linda C. Neals  
Town Clerk