

MEETING OF THE TOWN BOARD
TOWN OF GLENVILLE
FEBRUARY 5, 2020
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 James M. Martin, Michael Aragosa, Michael R. Godlewski and Councilwoman Gina M. Wierzbowski

Absent: None

Also present were Earl T. Redding, Attorney for the Town; Jason Cuthbert, Comptroller; Vicki Hillis, Director of Human Services and Melissa Cherubino, Director of Community Development

Town Council Reports:

Councilwoman Wierzbowski – “I attended the most recent meeting of the Glenville Town Chiefs Association. It was a really good working meeting that they had. The main topic of conversation was the new radio system that the County of Schenectady has been working very hard to put into place. I believe they are thinking late summer that they want to be operational. I am excited to see that project move forward.”

Councilman Martin – “I met last week with the town planning staff. I thought it was very good. As the liaison to kick things off, to touch base and set the tone. We will be following up with additional meetings to continue looking at the zoning code to see how we can make some more prudent amendments to that.”

Councilman Aragosa – “I attended, on Monday, at Proctors an event sponsored by the census and Tonko’s office. It was a round table discussion with Phillip Morris, Dr. Robinson from Shenendehowa and Dr. Dragone, Boces, discussing the importance of the census and the count and making sure that everybody gets counted. I have some information that I will share via email with the rest of you from Susan Brink who is the local specialist with the census. I know you have talked with her, Mr. Supervisor. Hopefully we can get involved. It was well attended. There were superintendents from a lot of different school districts. Peter Benarek from S-G High School was there. A lot of people are interested and we need to be interested. The census really will affect us in the next ten (10) years in all of our ability to find monies, find grants it’s very important.

I did meet on Monday with GECC (Glenville Environmental Conservation Commission) they had a very long agenda. Getting started with their new tree initiative that they are working on and they have a few other things that they are working on.”

Supervisor Koetzle – “Item No. 5 on the agenda is a public hearing to hear all persons interested in the proposed construction of self-storage buildings on Amsterdam Road.

Supervisor Koetzle opened the public hearing at 7:05 PM

Brian Sipperly, MSV Holdings - “We are here tonight to request from the Town Board a favorable recommendation for the application of the storage overlay to a parcel in the Highway Commercial District in West Glenville. MSV Holdings is a contract vendee on the parcel is owned by Mr. Frank Herba. It does not have a logical postal address as an undeveloped parcel but if I was to bring the audience and the board members into the right geography it would be located directly north of Bennet Trailer along Route 5 a/k/a Amsterdam Road. It is a 2.4-acre vacant parcel. It has 430 ft. of frontage along NYS Route 5 or Amsterdam Road. It is approximately 230 ft. deep. Again, I indicated it is wholly in the Highway Commercial and the Land Conservation Zone does

clip a corner of our parcel so we will consider it dual zone, predominately in the Highway Commercial Zone. The site today is an undeveloped site containing secondary tree growth. It is not within the hundred-year flood plain. It does not contain wetlands or standing water bodies. There are no easements or encroachments on the parcel and it is not served by municipal utilities, no municipal sewer or water, no flows to storm drainage systems in that area of Route 5. It is served with private utilities such as gas, electric and telecom. The site itself is gently sloping, it rises up off of Route 5 and gently slopping back down to the north to a larger wetland complex that exists over there.

The proposal that we have in front of the board tonight is for a self-storage project. If the board was to provide a favorable recommendation to the storage overlay self-storage use would then become an allowed use in the Highway Commercial Zone and we would be allowed to move on and advance the project through the planning stage.

I'll talk briefly about the plan that is here in front of you tonight. It is a traditional self-storage project, no outdoor storage of any goods, comprised of seven (7) buildings totally just under twenty-five thousand (25,000) sq. ft. of storage. These will be found-dated designs. The development does not require any waivers from the design standards, does not require any area variances and the development draining itself is not encroaching into any critical environment exists on the parcel or near the parcel.

The scope of the work is quite simple for a project like this. It involves site clearing, grading, storm water management, the installations of some electrical runs, site lighting and some landscaping. So, in terms of development it is not involving municipal water connections, sewer connections or district extensions. Storm water management will be subject to NYS Department of Environmental Conservation, SPEDES permit, as the disturbance will be over one (1) acre and we can fit all of the site appurtenances including stormwater on the parcel. It will be a closed drainage system; the parking will be paved. The site is served today with a single access point on to NYS 5, pretty much dead center on the parcel. The plan in front of you today holds that existing curb cut and there will be just slight improvements made as we work with NYS DOT on the approval of that to improve the grading access and some culvert drainage that looks like it has been damaged over the years.

At that point it is a very high overview of the project, I'll turn it over to the Board at this point for any questions or comments from the public."

Councilman Martin – "This is an overlay so we are overlaying these uses over the Highway Commercial Zone so it is not a replacement of the uses that are allowed there. Those uses will continue. As an overlay this is adding an additional capability."

Councilman Aragosa – "That's on a case by case basis. An individual plan would have to come before this Board to get that."

Robert Kirkham, 6217 Amsterdam Road – "I have spoken with Mr. Sipperly earlier in the week. I do have multiple concerns being a resident and living in kind of a mixed-use type corridor. Some of the concerns I have I did address with him and unfortunately I didn't feel like I had satisfactory resolution for me to want to support this type of a project in that corridor. I don't think it is a very good fit. I think if we look back in some of the history with the town in 2008 or 2007 we kind of adopted an open space plan which directly fits within that corridor of that Route 5 area. There is a lot of natural resource value out there, there is a lot of historical value out there. I do feel like it's not a great fit for that corridor. There have been some businesses that have recently opened in that corridor which I think are great fits and I think if we take a look at this case by case if it fits. I don't believe that self-storage fits out there. Some of my main concerns are excessive amounts of traffic. As you know in that corridor it's a 55mph corridor. I have lived there for twenty-one (21) years. I have witnessed many accidents, some fatalities. I think that if we are going to want to increase the volume of in and out flow, meaning in and out of businesses or in and out of whatever it maybe we need to take a strong look at reducing speed out there within that corridor. From Vley Road to Vley Road intersection just past Greno Industries it's 45mph until you get into the Village of Scotia from there out to the town line it is 55mph.

So, some of the general concerns that I have about the project are, all of the businesses within that area out there operate on a normal schedule, they open in the morning, they close in the evening. Mr. Sipperly told me that this is going to be a twenty-four (24) hour access facility. In a residential type setting, people who live in homes, I have children that live in that area, I did speak with a neighbor, I can't speak for him I know he is not favorable of the project as well. I do have concerns with transient type traffic coming in, people putting their storage stuff in there and then trying to access it at all hours of the night. It's just a general concern. Also, that's an area where there's not a lot of light pollution out there. We don't have an excessive amount of street lights. So, a self-storage that's opened twenty-four (24) hours a day is obviously going to have a lot of light pollution. I realize that he is saying that the foot print of the project really is not a major impact to the environment but a lot of my property is on conservation and I'm very concerned about the vehicles going in and out of there, what's being stored there? We can't answer a lot of those questions.

I appreciate your time and I hope that you strongly consider this to possibly not be the right fit for that corridor."

No one else wished to speak; Supervisor Koetzle closed the public hearing at 7:15 PM.

Supervisor Koetzle – "Item No. 6 on the agenda is a public hearing regarding Fire Districts to construct and operate LED Signs without proceeding to the unqualified application of the Planning Board process."

Supervisor Koetzle opened the public hearing at 7:16 PM.

Supervisor Koetzle – "The fire departments are looking to put LED signage up in front of their departments. Many of them are not in an area that allows it by zoning. This potential solution would allow the Town Board to balance the public safety need against waiving the zoning for those fire departments within suburban residential and agriculture residential in particular."

Attorney Redding – "Just to clarify, it's waiving the application... anytime a variance in regards to the signs, the signs will still be applicable to regular zoning codes but the application they would not need to go through, they are already in non-compliance they would not to become in compliance other then the regular types of responsibilities that any business has to do with LED signs."

No one wished to speak; Supervisor closed the public hearing at 7:18 PM

No one exercised the privilege of the floor.

Supervisor Koetzle – "The Schenectady Heritage Foundation is presenting a check to the town in the amount of \$5,000 for the preservation and restoration of the historic Yates Mansion."

"STATE OF THE TOWN PRESENTATION"

Supervisor Koetzle – "This is my eleventh year as Supervisor. This is so important to me and the board members, to be able to do this. It is part of being transparent to our community. This in connection with our budget meetings that we do in the fall, is an opportunity for us to come out and tell you what we are thinking, what we want to accomplish and an opportunity for you to have input into that. To me I think it is an important piece of what we are doing to serve you, the community.

Before we begin I do want to acknowledge a few guests in the room and thank them for coming. Representing Congressman Tonko we have Colleen Williams, we have from our County Legislature Michelle Osterlitz, from the Village of Scotia Mayor Tom Gifford and Trustee George Solotruck. Thank you all for coming."

The entire presentation is available on our website www.townofglenville.org

Supervisor Koetzle moved ahead with the agenda items.

RESOLUTION NO. 59-2020

Moved by: Councilwoman Wierzbowski

Seconded by: Councilman Martin

WHEREAS, there is a vacancy in the Town of Glenville Police Department for the position of Lieutenant, and

WHEREAS, a Civil Service competitive, promotional list for the Lieutenant position expired in December 2018; and

WHEREAS, pending the posting of a new test and the results of that test, the Town of Glenville will need a person capable of performing the Lieutenant duties; and

WHEREAS, interviews were conducted by the Chief of Police with two candidates eligible for the position based on the requirements set forth by the Schenectady County Civil Service Commission; and

WHEREAS, Sergeant Matthew Weise is a fourteen-year veteran of the Glenville Police Department, performing admirably and well in the performance of his duties; and

WHEREAS, Sergeant Matthew Weise is the selected candidate; and

WHEREAS, the Chief of Police hereby recommends that the promotion be approved by the Town Board.

NOW, THEREFORE, BE IT RESOLVED, that this Town Board does hereby authorize the Chief of Police to provisionally appoint Sergeant Matthew Weise to the position of Lieutenant with the Glenville Police Department at a salary of \$106,289.00, effective of February 5, 2020, and

BE IT FURTHER RESOLVED, that the compensation and terms and conditions of employment for Sergeant Weise be as set forth in the current Memorandum of Understanding for Lieutenant, and

BE IT FURTHER RESOLVED, that the Town Clerk, on behalf of this Town Board, be and he hereby is authorized and directed to notify said Sergeant Weise of the afore mentioned appointment.

Ayes: Councilmen Martin, Aragosa, Godlewski, Councilwoman Wierzbowski and Supervisor Koetzle

Noes: None

Absent: None

Abstention: None

Motion Carried

Discussion...

Councilwoman Wierzbowski – “This resolution speaks for itself but as a first responder who is not receiving any protections under this law myself in my regular job I’m very proud that the town is taking this leadership step. Out first responders whether they are firefighters or EMTs or paramedics or any other class of first responders, whether they work in our town or volunteer or career staff are entitled to these protections. We go out

into the night and we help people on their worst day. I would like to think this was an unintended consequence of these recent changes. I do hope that this along with other voices throughout the state will bring about this change that is so necessary.”

Supervisor Koetzle – “I agree.”

Councilman Godlewski – “There are a number of deficiencies with the current bail reform laws as well as the current discovery reform laws. This resolution highlights one of them. Glad the town is doing this.”

Supervisor Koetzle – “I do believe that the entire thing needs to be reformed. I think the discovery issues in our police department and what law enforcement is dealing with now is egregious but this is an important first step at least and I’m proud to be supporting it along with my colleagues.”

RESOLUTION NO. 60-2020

Moved by: Councilwoman Wierzbowski

Seconded by: Councilman Godlewski

WHEREAS, the Town of Glenville requests that first responders in the Town be granted similar privacy rights to law enforcement officials as it relates to discovery in the New York State Criminal Procedure Law; and

WHEREAS, as both municipal employees and volunteers, first responders here in the Town of Glenville and elsewhere are in many instances called upon to provide emergency services at crime scenes making them subject to providing witness testimony; and

WHEREAS, beginning January 1, 2020, paragraph (d) of subdivision 1 of section 245.20 of the New York State criminal procedure law exempts and protects law enforcement personnel from being mandated to disclose their addresses and contact information in the newly initiated discovery process through the recently passed criminal justice reform law for defendants and their attorneys to safeguard them and their families from threats and intimidation; and

WHEREAS, the changes that took place in New York State Law failed to extend this privacy protection to our ambulance services or advanced life support first response services, certified first responders, firefighters, emergency medical technicians or advanced emergency medical technicians, who are employed by or enrolled members of any such service; and

WHEREAS, the discovery process under current law requires an expedited timeline to provide witness names and contact information related to the prosecution of a crime to defendants within 15 days of arraignment; and

WHEREAS, it is in the best interest of the Town of Glenville to advocate for its first responders and ensure the protection of their personnel and families, and not be subject to potential witness tampering or intimidation; and now, therefore, be it

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Glenville hereby implores the New York State Legislature to pass Senate Bill – S.7280/Assembly Bill A.9107, which ensures privacy protections for all emergency personnel as provided to law enforcement personnel and others.

Ayes: Councilmen Martin, Aragosa, Godlewski, Councilwoman Wierzbowski and Supervisor Koetzle

Noes: None
Absent: None
Abstentions: None

Motion Carried

RESOLUTION NO. 61-2020

Moved by: Councilman Martin
Seconded by: Councilwoman Wierzbowski

WHEREAS, a Member of the Town Board of the Town of Glenville is introducing a Local Law to add a new Section 270-XXX, “Freemans Bridge Zoning District” with accompanying “Design Guidelines” and Zoning Map amendments to the Zoning Code of the Town of Glenville (a copy of which is attached hereto); and

WHEREAS, this proposed new Code section is the product of much study and discussion by the Town of Glenville Code Revision Commission; and

WHEREAS, the proposed new Code section was referred to the Planning & Zoning Commission for review and a recommendation as to the text and the Planning and Zoning Commission recommended the proposed Local Law for adoption; and

WHEREAS, the Glenville Environmental Conservation Commission considered whether the Local Law could result in any significant environmental impacts under the State Environmental Quality Review Act (SEQRA) issued a provisional SEQRA Negative Declaration at its October 2019 meeting with a final consideration scheduled for its February 24, 2020 meeting; and

WHEREAS, Economic Development and Planning provided the County of Schenectady Department of Economic Development and Planning with a referral pursuant to General Municipal Law §239-m, from which the County has deferred to the Town; and

WHEREAS, a duly scheduled public hearing must be held in order to amend the existing code by Local Law and/or to effect a change to the zoning map;

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, February 19, 2020 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 add a new Section 270-XXX, “Freemans Bridge Zoning District” with accompanying “Design Guidelines” and Zoning Map amendments to the Code of the Town of Glenville; and

BE IT FURTHER RESOLVED that the Town Clerk be, and she hereby is directed to prepare the proper notice of said hearing in accordance with law and to publish same at least ten days prior to the date of the public hearing and to provide same to the Village of Scotia and the City of Schenectady.

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

Motion Carried

RESOLUTION NO. 62-2020

Moved by: Councilman Martin

Seconded by: Councilwoman Wierzbowski

WHEREAS, a Member of the Town Board of the Town of Glenville is introducing a Local Law to amend the Parking Section 270-73, "Parking" with accompanying "Schedule A" amendments to the Zoning Code of the Town of Glenville (a copy of which is attached hereto); and

WHEREAS, this proposed new Code section is the product of much study and discussion by the Town of Glenville Code Revision Commission; and

WHEREAS, the proposed new Code section was referred to the Planning & Zoning Commission for review and a recommendation as to the text and the Planning and Zoning Commission recommended the proposed Local Law for adoption; and

WHEREAS, the Local Law clarifies the existing regulation, and constitutes a Type II Action under the State Environmental Quality Review Act (SEQRA) which does not require further review; and

WHEREAS, Economic Development and Planning provided the County of Schenectady Department of Economic Development and Planning with a referral pursuant to General Municipal Law §239-m, from which the County has deferred to the Town; 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, February 19, 2020 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 the Parking Section 270-73, "Parking" with accompanying "Schedule A" amendments to the Zoning Code of the Town of Glenville; and

BE IT FURTHER RESOLVED that the Town Clerk be, and she hereby is directed to prepare the proper notice of said hearing in accordance with law and to publish same at least ten days prior to the date of the public hearing and to provide same to the Village of Scotia and the City of Schenectady.

Ayes: Councilmen Martin, Aragosa, Godlewski, Councilwoman Wierzbowski and Supervisor Koetzle

Noes: None

Absent: None

Abstentions: None

Motion Carried

RESOLUTION NO. 63-2020

Moved by: Councilman Martin

Seconded by: Councilman Aragosa

CALL FOR BIDS FOR THE TOWN OF GLENVILLE MAALWYCK PARK IMPROVEMENT PROJECT, PHASE 2.

WHEREAS, the Town of Glenville has determined that a need exists for construction of a new 76' x 40' pavilion and related utility work in Maalwyck Park located at 300 Maalwyck Park Road Glenville, NY 12302,

WHEREAS, the plans and specifications for the Town of Glenville Maalwyck Park Improvement Project, Phase 2, have been prepared by MH Professional Engineering, PLLC;

WHEREAS, Funding for this project comes in part through an Environmental Protection Fund (EPF) grant program for Parks, Preservation and Heritage;

NOW, THEREFORE, BE IT RESOLVED, that that the Town Board of the Town of Glenville, hereby calls for bids in accordance with municipal bidding procedures for work associated with the Town of Glenville Maalwyck Park Improvement Project, Phase 2, 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, Aragosa, Godlewski, Councilwoman Wierzbowski and Supervisor Koetzle
Noes: None
Absent: None
Abstentions: None

Motion Carried

New Business

Councilman Martin – “I would like to bring it to the boards attention, if you didn’t see it on line. There’s an article about County sales tax revenue going up. I would like to have a work shop with our County Legislature to discuss this. Schenectady County, according to this article, had a 2.1% increase in sales tax revenue. It has been a long belief of mine that we need to be sharing in that in a better way with the towns. I also notice in this article that some cities directly take their sales tax. They have a prevision by which they can do that. The argument I’ve heard is we can’t give anymore sales tax to the towns because the agreement is strictly between the city and the county. The city has the option to opt out of that and get the sales tax directly. We have seen a lot of great things being proposed here tonight and these things are expensive and one goal that was on those slides was reducing the residential tax burden, the real property tax burden. This is a way we can do that. I hope that the representatives of the legislature are as interested in lowering that residential tax bill here for the residents in this community as we are. I would like to have that meeting. It’s due to expire this year and it’s due to be taken up again and now is the time.”

Supervisor Koetzle – “Two years ago Niskayuna Supervisor Syed and I hosted a District 3 Legislature meeting here, in this room, on that subject. It’s probably time to do that again. I would want the other town from District 3 to be a part of it as well. I will reach out to Supervisor Syed and we will get something together for at least District 3 and then go from there.

Supervisor Koetzle asked for a motion to adjourn; Moved by Councilwoman Wierzbowski, Seconded by Councilman Aragosa, everyone being in favor the meeting was adjourned at 8:30 PM.

ATTEST:

Linda C. Neals
Town Clerk