

MEETING OF THE TOWN BOARD
TOWN OF GLENVILLE
MAY 3, 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 Gina M. Wierzbowski

Absent: None

Also present – Michael Cuevas, Attorney for the Town, Jason Cuthbert, Comptroller and Tom Coppola, Highway Superintendent

Town Council Reports:

Councilman Hennel – “On April 11th we met with the various volunteer and service organizations in the Town of Glenville. We presented to them a number of different opportunities for them to support the town parks, Indian Meadows, Maalwyck Park and the Dog Park. The groups were eager to hear some of the projects that we are looking at doing. I also encourage any other community groups that would like to participate in projects to support our parks to come forward. The all-volunteer committee will continue to meet and they are working to hosting the 8th Annual Glenville Oktoberfest on Saturday, September 30th.”

Councilwoman Wierzbowski – “We are in the middle of our bulk item pick-up program. If you have items at the curb that have not been picked up please check the town’s website www.townofglenville.org for the list of approved items and also see where the trucks have been and where there are headed. They only do one pass throughout the town.

Last week I had the pleasure of attending the Town Chiefs meeting for the Glenville Town Chiefs Association. Three different departments had recruit New York last weekend and Scotia Fire Department is having a recruitment drive and open house on May 6 from 10 to 4.”

Supervisor Koetzle – “Regarding the bulk pickup this is the first year that two tickets have been issued for scavenging. There was a two year grace period for education and there were certain instances where public safety was at risk with people stopping on roadways and causing traffic backup. There has been a noticeable decrease in scavenging because the work got out very quickly.”

Supervisor Koetzle – “Item No. 5 on the agenda is a public hearing on a proposed zoning map amendment application by TJ Development of Glenville, LLC to change the zoning of 0.62 acres of land that includes a portion of 303 Saratoga Road and all of 3 Sheffield Road from “Community Business” and “Suburban Residential,” to “General Business”.

Supervisor Koetzle opened the public hearing at 7:10 PM

Jessica Bullett, 7 Sheffield Rd. – “I have quite a few concerns about this. We already have traffic issues on our street, people speeding up and down the road. We have children on our street so I contacted the town back in 2014 requesting a “Children At Play” sign and that was turned down. I’m concerned about this turning into a commercial lot just because I will be the first house off Route 50. It is going to affect my property value and I have been putting money into my house. It’s going to be a noise issue, we are going to have more litter on our street. I’m already picking up after people throwing their litter

out. I heard there might be a fast food restaurant there and that's a concern. I'm just really worried about my property value after all of this. I would like more information about what's going on and if it is too late and if it's a done deal."

Supervisor Koetzle – "No it is not too late. The public hearing is really the first step. There has been a proposal presented to the planning department here at the town. You are always welcomed to come in and look at that. It's really know as the Aldi's redevelopment. The Aldi's piece is actually zoned fine. It's the next piece that they want as part of that. You can talk with Kevin Corcoran, Town Planner. Anything that is submitted to the town you can look at. I would also follow the Planning Board agendas because they are reviewing this proposal and you will get a lot of information by attending those meetings."

Ms. Bullett – "Now I will be surrounded by commercial property both behind me, that's fine I moved into the house knowing there was commercial property behind us, that's not an issue but now there is something going right next door, next to my driveway that's where the concern is."

Deborah Capron, 2 Bigwood Drive – "I live directly behind Ms. Bullett and the Aldi's site. I agree with what Jessica has said and in addition my concern with the fast food and changing it to a general business it is not only the smell but the garbage and what kind of animals and things like that that they could bring. To residential homes. Sheffield Road is residential on both sides, it always has been and I think it should stay that way, as residential."

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

Supervisor Koetzle – "Potentially the zoning change could be on the May 17th agenda."

Councilman Martin – "Could I make a request that the Board members be provided a site plan, Kevin. Could we get a copy of that? You can share with them that I am going to particularly interested seeing the buffer area of the site where it adjoins the residential properties. I will be interested in see the landscaping plans, the screening plan for that buffer area, landscape trees and fencing. What I am suggesting as a condition for rezoning, if we are going to consider this rezone I want to see this stuff up front. I want to know what it is going to look like, I want to know the planting pattern, and I want to know what the trees are going to consist of, shapes, sizes, and species of trees. I want to see it all before I am going to consider the rezoning. I am particularly interested in that buffer area where it adjoins these residential properties."

Tom Coppola, Commissioner of Public Works presented the Annual MS4 Report to the Board.

MS4 is Municipal Storm Water. The towns have been mandated with this through the State of NY, it's an unfunded mandate. It is a very cumbersome challenge for the municipalities.

It controls all storm water in your ditches, basins anything that flows to the rivers, Alplaus Creek, parking lots, roadways, and sweeping this is just an overview of what that encompasses. We have 1,550 catch basins in the town and they will have to be serviced, at least one-third per year. It's almost an impossible task to do. This year we added 24 basins into our storm water, approximately 2,000 ft. of drainage pipe, we swept roughly 375 mi. of road using 452 man-hours and taking 618 yards of debris off of the roads. We had 2 violations we had to deal with over this and we had 14 investigations that amounted to nothing. If you do see something that doesn't look right, people dumping water into basins or water ways you call the town immediately and I will go out myself and investigate it.

The outlook for this year is adding more pipe, another 2,000 ft. of additional drainage into the town. Ditching work to be done in the Glenville Hills to be completed this

year. We did get a small grant this year, about \$11,200 for still water mapping. This past year we started concentrating on drainage again. If you see us in our neighborhood looking in basins and digging up roadways we are working on drainage.

The full MS4 Report is available at the Planning Department and the Clerk's Office. There will also be a final report sent to DEC on June 1st.

No one wished to exercise the Privilege of the Floor

Supervisor Koetzle shared the following information

I have a few things to report on the financial side. I had an opportunity to attend the County wide shared services initiative forum that the state put on.

The first half of our mortgage tax for the year ended on March 31st and the sixth month revenue was \$279,000. We are about \$12,000 ahead of where we were last year. Our budget revenue for all of 2017 is \$532,000 so we are certainly on track so that is good news. We received our first quarter sales tax check from Metroplex and I'm pleased to report that it was the largest that we have had for a first quarter check in the last four years. This is good news since our 2016 sales tax revenue from revenue actually ended lower than that which we received in 2015 and 2014.

We have recently taken delivery of equipment that was approved by this town board in March. Here at the Town Municipality we finalized the prep work required by National Grid to hook up the new natural gas generator in the police department. We expect the generator to be on site and operational by the end of the month.

Lastly as far as financials are concerns the first nine months of the 2018 tax cap finish, next year's tax cap would be about 1.82% that is down from last year. They expect the final number to be about 2%.

The CFA has been opened and working with Kevin and some others we are looking opportunities for where are CFA grants might want to be. The perennial we always go to is the bike path along the Mohawk. That seems like a natural to me. And of course the Yates Mansion is on our list for some sort of a CFA grant.

Kevin and I with Mike Burns had the opportunity to meet with folks running the grant for Freemans Bridge Road. So that project is going forward, that is the study grant.

I did attend the shared services workshop in Albany. The plan is going to be rolled out quickly. Essentially this was passed in the 2018 state budget and included a new initiative designed to generate property tax savings by facilitating operation collaboration between local governments. This means the County, the towns, the villages every municipality that is in the county would take part in county wide shared services. This sets up a panel of folks to work with the county, the CEO of the county which in our case would be the County Manager would be considered the CEO for purposes of planning of the county. Kathy Rooney would have the responsibility to create, develop and submit the plans exclusively. The required panel, which she will put together is the mayors and the supervisors within the County. The County Manager as the CEO can invite members of the school districts within the county to join the panel. So the CEO is to put the panel together immediately and we are supposed to meet and come up with ideas of how we are going to start sharing services. By August 1st the CEO must consult with and take recommendations from each bargaining unit in the municipalities. Then submit to the legislative body her idea for a consolidation for shared services. At that point the legislative body can issue an advisory report, they don't get to vote yes or no on it, they can only issue an advisory report and that report would be your recommendations for either looking at other ideas or rejecting ideas. Now in the County of Schenectady the County Manager happens to work for the legislature so I'm not sure how advisory that's going to be at the end of the day. That advisory report can either be modified or not modified by the CEO. In the end it is going to come back to the panel. That is where the vote will be each of us will have a vote. If the chief

elected on that panel feels that the idea going forward is detrimental to their municipality they can pull that out of the plan. So each of those people on that panel have the right to pull something out but if you do that you also now are out of the shared savings. There is a little bit of a penalty for that so you have to have a good reason as to why you want to pull it out. Everything has to be done in writing, the vote and an explanation as to why you are voting yes or no and if you pull your municipality out of it you have provide a written reason why.

If it passes the CEO of the County then it is responsible for finalizing the plan, if it doesn't pass then we have to do this all over again in 2018. We have to show a clear savings to the taxpayer. Interestingly it doesn't go to a public presentation until after the vote.

Supervisor Koetzle moved ahead with the agenda

RESOLUTION NO. 118-2017

Moved by: Councilman Martin

Seconded by: Councilman Pytlovany

WHEREAS, Blackbird 1, LLC has submitted a zoning change application to rezone approximately 7.23 acres of property on the southwest corner of Sacandaga Road (NYS Route 147) and Burch Parkway from "General Business" (GB) to "Mixed Use Planned Development" (MUPD); and

WHEREAS, the land under consideration for rezoning consists of the following parcels;

- 207 Sacandaga Road (Tax Map # 29.15-4-3)
 - 211 Sacandaga Road (Tax Map # 29.15-4-2.11)
 - 213 Sacandaga Road (Tax Map # 29.15-4-1)
- and

WHEREAS, the purpose of this zoning map amendment is to allow the landowner/developer to pursue construction of a 72-unit apartment complex, consisting of nine 8-unit buildings, a 4,800 sq. ft. retail building, and four apartments on the 2nd floor of the proposed retail building; and

WHEREAS, this zoning map amendment constitutes an "Unlisted Action" in accordance with 6 NYCRR Part 617 (State Environmental Quality Review Act {SEQRA}); and

WHEREAS, the Glenville Town Board has assumed SEQRA Lead Agency in this instance; and

WHEREAS, the Town of Glenville Planning and Zoning Commission, at their March 13, 2017 meeting, recommended that the Town Board find no significant adverse environmental impacts associated with this proposed zoning map amendment, and further recommended that the Board issue a SEQRA "Negative Declaration;"

NOW, THEREFORE BE IT RESOLVED that the Town Board of the Town of Glenville hereby determines that the proposed zoning map amendment for 207, 211, and 213 Sacandaga Road, as described above, will not result in a significant adverse environmental impact; and

BE IT FURTHER RESOLVED that the Town Board of the Town of Glenville hereby issues a SEQRA "Negative Declaration" for this proposal, based on the following findings:

- This proposed zoning map amendment will not result in a substantial adverse impact to air quality, surface water quality, traffic volumes, or noise levels, nor will it increase the potential for erosion or flooding. This property is abutted by

Scotia-Glenville High School, the Glenville Business and Technology Park, and the Wayside Village Apartments. It is also located on Sacandaga Road (Route 147), a New York State highway. As such, development of this land with multi-family housing and limited retail is consistent with, and even less intense than existing development adjacent to the property. Further, the property is level and very well-drained, meaning that poor drainage, ponding/flooding, and erosion are unlikely to occur.

- The rezoning and subsequent development of this property will not result in the removal of large quantities of vegetation or fauna. The site is presently nearly treeless, and it does not harbor any endangered or threatened species of animal or plant. In fact, the site is relatively barren of wildlife and vegetation, with the exception of grass and weeds and scattered trees.
- The proposed rezoning does not conflict with the Town's pending Comprehensive Plan, and is, in fact, consistent with the Town's development goals for this commercial/industrial area of Glenville.
- The property under consideration for rezoning does not contain any notable agricultural, open space, or recreational resources. Consequently, development of this property for primarily multi-family housing, with limited commercial, will not result in any impacts to farmlands, open space, or recreational land or uses.
- Similarly, development of this property will not impact any known important historical, archeological, architectural, or aesthetic resources.
- Neighborhood character will not be compromised as a result of this action. Establishing zoning that authorizes a mix of multi-family and small-scale retail uses is entirely consistent with adjacent land uses.

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

Noes: None

Absents: None

Abstentions: None

Motion Carried

RESOLUTION NO. 119-2017

Moved by: Councilwoman Wierzbowski

Seconded by: Councilman Hennel

WHEREAS, the State of New York requires each municipality to establish a standard work day for the purposes of reporting time worked for the members of the New York State and Local Retirement System; and

WHEREAS, State Law requires that the standard work day for elected and appointed officials be fixed at not less than six (6) hours per day; and

WHEREAS, the Office of the New York State Comptroller has updated its requirements for reporting standard work days of elected and appointed officials to the New York State and Local Retirement System;

NOW, THEREFORE, BE IT RESOLVED, that the Glenville Town Board, through the attached form RS 2417-A Standard Work Day and Reporting Resolution provided by the Office of the New York State Comptroller, hereby establishes the standard work days for the elected officials identified therein.

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

Motion Carried

Discussion...

Supervisor Koetzle – “The developers are here. Do you have any questions or comments?”

Mary Beth Slevin –of Blackbird 1. We noticed that some of the uses we were proposing there were exclusions that would normally be allowed in general business. We would appreciate some input in this so we could understand the rational so that we could better respond to it.

Supervisor Koetzle – “We’ve been approached, actually all of the towns have in the county and Saratoga County trying to limit tobacco sales in particular around schools. Our reaction to that was well we are in the middle of the comprehensive plan review and that is something we take into consideration and maybe change some zoning after the comprehensive plan is adopted which we are very close to doing. But I think, it appears that the appetite of the board is to concur with that and to limit tobacco sales and marketing around schools in the Town of Glenville. It is further supported by the district. The Superintendent has a very strong belief supporting it, the school board has a strong belief supporting it. So our reaction is to the concerns of the community on limiting tobacco sales and marketing around schools. The gasoline is not so much a community issue I think it is just probably more of a board concern, I would say, then what we heard from the community. We saw that mistake here in Town Center, it took us years, hard to believe we are still dealing with it, with too many gas stations in one place.

Ms. Slevin – We would like to ask the Board to consider a tertiary use as part of the uses because otherwise it is a severe limitation on potential uses. It would eliminate pharmacies, it would eliminate many types of grocery stores and you know this is a small footprint. We understand that this is something that the board is just considering and we would sure appreciate further discussion before there is a final determination.

Supervisor Koetzle – “I think the public hearing will play a big role in the decision if the community comes out pretty strong against this. I think we have to look at all of the product. One of the things that we know and I do believe they market these products externally and when the kids pass it on the school bus they get hit with these messages. There is a lot that we have to talk about. I think starting with this and hearing from the public, having the Board talk about it at the next work session, I think there is a lot of things to discuss.

This will be discussed at the May 10th work session.”

RESOLUTION NO. 120-2017

Moved by: Councilman Martin
Seconded by: Councilman Pytlovany

WHEREAS, the Town of Glenville is proposing a zoning map amendment that would change the zoning of the three parcels (Tax Map ID#s: 29.15-4-1, 2.11 and 3) located at and commonly known as 207-213 Sacandaga Road, owned by Blackbird 1, LLC and presently unoccupied, from “General Business” to “Mixed Use Planned Development”; and

WHEREAS, the zoning map amendment for the land at 207-213 Sacandaga Road is to be rezoned Mixed Use Planned Development in order to allow creative development of the entire property and to make the zoning compatible with the adjoining parcels to the north, south, and west, recognizing that those surrounding properties have varied types of uses; and

WHEREAS, the portion of the property to be rezoned that fronts on Sacandaga Road would appear to have the greatest value to the Town and the developer and would best conform to the Town's Comprehensive Plan if utilized for commercial use; and

WHEREAS, the interior portion of the property to be rezoned would appear to be best be developed as multi-family housing given its proximity to the Scotia-Glenville School District campus and to adjacent multi-family housing; and

WHEREAS, the Planning & Zoning Commission (PZC) has reviewed the preliminary development plan and recommended consideration of the zoning map amendment and MUPD to the Town Board; and

WHEREAS, Article VI – Planned Development Districts of Chapter 270 – Zoning authorizes the Town Board to create a Mixed Use Planned Development District under circumstances and with or without conditions detailed therein; and

WHEREAS, this Board has determined by separate resolution that the zoning map amendment is an Unlisted Action for purposes of the State Environmental Quality Review Act (SEQR) and, upon recommendation of the PZC, found no significant adverse environmental impact; and

WHEREAS, New York State Town Law and the Code of the Town of Glenville require a public hearing before the Town Board before an amendment to a zoning map or a local law created a planned development district may be adopted;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Glenville hereby schedules a public hearing for Wednesday, May 17, 2017 at 7:00 p.m., or as soon thereafter as the matter can be reached, at the Town of Glenville Municipal Center, at which time and place it will hear all persons interested in a proposed zoning map amendment involving the property at 207-213 Sacandaga Road, changing the zoning of same from General Business to Mixed Use Planned Development and the creating a Mixed Use Planned Development District on such parcels of real property in the Town of Glenville in accord with an application dated February 27, 2017 and a PDD Site Plan prepared by ABD Engineers, LLP dated October 23, 2016; 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.

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

Motion Carried

New Business

Councilwoman Wierzbowski - "I have two items for the Board to consider. One would be in connection with the resident that spoke that lives at 7 Sheffield, could we possibly ask the Traffic Safety Board to possibly do another study on Sheffield Road to check to see the traffic count, the time of day, etc. to re-evaluate the placement of "Children at Play" sign?

The second item I have is, there is a bill in the Assembly carried by Assemblyman Steck also a bill in the Senate, you will be happy to hear, that would allow Counties and Towns to share insurance. Right now it is my understanding in both houses it is under the Insurance Committee Review. It is worth reaching out to Legislatures to let them know that we would be in support of that.”

Supervisor Koetzle asked for a motion to adjourn; motion to adjourn; Moved by Councilman Pytlovany; Seconded by Councilman Martin, everyone being in favor the meeting was adjourned at 7:48 PM.

ATTEST:

Linda C. Neals
Town Clerk