

MEETING OF THE TOWN BOARD  
TOWN OF GLENVILLE  
APRIL 21, 2021  
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 and Vicki Hillis, Direct of Human Services

Supervisor Koetzle – “The sound system is on. We ask that, as we continue to work toward us getting a new sound system in here which we are doing so as quickly as we can. Just make sure you speak directly and loudly into you microphones. The components for the new audio system seem to be stuck in the supply chain somewhere in the world. I don’t know what issue it is but the parts have taken a very long time and they still are not here. We will do our best speak as loudly as we can.

We will be entering into an executive session at the end of the meeting to discuss matters leading to the discipline, suspension, dismissal or removal of a particular person in the Highway Department and to discuss pending or current litigation regarding the matter of Robinson v. Piotrowski. We do not anticipate coming back and doing any further business after that executive session.”

**Town Council Reports:**

Councilman Godlewski – “This Saturday, the 24<sup>th</sup> from noon to 3 pm there is a clean-up down in Collins Park. Volunteers are meeting over at Rotary Circle.

The Joan Nicole Prince home is doing a virtual walk/run 5K fundraiser for the month of May. It is to help out with a very good cause here in the town, the Joan Nicole Prince home any information in regards to that you can visit their Facebook page or their website.”

Councilwoman Wierzbowski – “I just want to mention our bulk pickup program that is coming up soon. Our annual program will be beginning on April 26<sup>th</sup>. We ask the residents to have their items out no earlier then April 23<sup>rd</sup> and not later then Sunday, April 25<sup>th</sup>. The company that we contracted with this year is making one pass through the town over the course of one week. A list of acceptable/non-acceptable items is available on our website [www.townofglenville.org](http://www.townofglenville.org) No zones this year, one pass over the course of one week.”

Councilman Martin – “The Well-Now building is close to being opened. I want to give kudos out to the Planning and Zoning Commission and the Community Development staff. It is a really nice addition to the Town Center. I want to give a shout out to our volunteers on our Planning and Zoning Commission that have worked so hard each and every month on reviewing those plans and the Community Development staff and the building department staff. They did a really nice job in executing that project. I look forward to the sister project next door coming as we get into the balance of the year.”

Councilman Aragosa – “On Wednesday, April 28<sup>th</sup> the Capital Region Chamber Leadership group is going to be doing a drive-thru in Collins Park at 6:00 PM (drive-thru food pantry).

Supervisor Koetzle – “Item No. 5 on the agenda is a public hearing

regarding proposed amendments to Chapter 270, Section 166 “Solar Energy” of the Code of the Town of Glenville.

Supervisor Koetzle opened the public hearing at 7:08 PM

Councilman Martin – “This is basically inserting the special use permit provision for the large scale solar, that’s a listed use under special use permits now in appropriate zones.”

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

Supervisor Koetzle – “Item No. 6 on the agenda is a public hearing regarding proposed amendments to Chapter 270, “Sign Requirements” of the Code of the Town of Glenville.

Supervisor Koetzle opened the public hearing at 7:10 PM

Councilman Martin – “In the current Code the sign regulations for businesses are spread out in several different sections and the feedback we were getting from both staff, who administers the Code as well as business people who are looking to comply with it said it was confusing and difficult to find a complete set of regulations that might apply to a given situation. This now consolidates all of the sign requirements into one location for all districts and all uses. At the same time, we took that opportunity to make the language more straight forward and hopefully simpler to read and interrupt both for our administration staff and people looking to access the Code and see what they want to do with their sign.”

No one wished to speak; Supervisor closed the public hearing at 7:10 PM

No one wished to exercise the privilege of the floor

#### Supervisor’s Comments

Supervisor Koetzle shared the following information:

County Legislatures Sara Mae Pratt, Michelle Ostrelch and myself had a great opportunity to walk to each and every house on Alplaus Avenue on the north side to discuss with the residents directly the potential for the sidewalk project to go forward. County Legislature Cathy Gatta has been involved in the meetings we have been having with the County on this over the past couple of weeks. We are making progress on the Alplaus sidewalk. As we walked on Alplaus Avenue it became very clear if you had any doubts, a sidewalk needs to be placed there. We working together to continue that project and we will keep you updated.

I had a wonderful opportunity to talk with Heather Gray about ways the Village and the Town can work together and some of the things we can do together. It was a very nice lunch and a great opportunity to talk. We are going to keep that conversation going. We had some ideas we threw out and we will continue to explore those ideas as we go forward. A lot of good municipal work going on between the County, the Village and the Town and I appreciate everyone’s work on that, Heather, Michelle, Sara Mae and Cathy, thank you.

Jim and I had a chance to attend the Small Business meeting the other morning. We talked a lot about a lot of different opportunities, Jim with small businesses. One of the initiatives that we are working on right now. One of the things that happened down at Scotia Cinema is they lost a couple advertisers in the program and that brings revenue and that’s just another line that they lost revenue on. They just can’t afford to lose that revenue, so the Town stepped in and bought that empty inventory under the READY program and we are currently working with small businesses to film commercials and highlight our small businesses during this advertising period at Scotia Cinema. We are very excited about this project and this program. We have all of these small businesses interested in taking part in it and we

are starting to work on that. That is just another way that we can help our small businesses. We hope by May we will start running through October.”

Councilman Martin – “One of the other things we talked about was there are a lot of resources out there during the pandemic and post pandemic that are available and going to be available to small businesses in the town. Given their current circumstance among our business owners they are just scrambling to stay afloat or catch up. I thought it might be a useful idea to develop a mechanism by which the businesses are informed of what resources are out there and just be that communication link between the business owner and that resource. A one stop shop if you will, like a clearing house of where they can go and find out is there a loan or assistance or anything like that or just an information resource where they can go and learn about what opportunities are available to them. We are trying to establish that link using the town website and some other social media initiatives and see if we can get the word out there and make our business people as informed as they can be about what opportunities exist to make them thrive again.”

Supervisor Koetzle – “Arnie and I had an opportunity to meet with the residents around the 48 Fredericks Road issue. The Gazette article, unfortunately I don’t believe really captured the meeting at all. It only captured the last five (5) minutes of the meeting and I think left the wrong impression. We had a good opportunity to talk to the residents about what the Town, it was an hour and one-half meeting, we went through all of the code violations that have occurred over the years, my response to those, what happened, what Arnie did to follow-up. We talked about how an alleged violation is just that, an alleged violation and now that we have court issues with backlogs and being closed and COVID it’s tied up in that. We talked about the fact that the Town does not the authority to evict somebody, that goes to the county court but it has to be the property owner that does that. We talked about a lot of different things as to why we are where we are with it. Really it boils down to two things, COVID and the fact that Cuomo’s Executive Order says that you cannot evict somebody. There is nothing that can change that and there is nothing anybody can do about it. The bank did move to evict the squatters prior to the COVID and then when COVID hit they were in the middle of the process and everything just stopped and so now we are stuck with this situation. I am hearing from other communities and other places that this is becoming a very common problem now because of the “no eviction rule”. This is just something we are going to keep our eye on and continue to help the folks there but I think they have a better understanding that the Town has done all that we could.

I had a meeting with the veteran’s group just before this meeting and we talked about a variety of different issues moving forward with them so I just wanted to report that they are continuing to work towards trying to obtain, with our help, space and we are not there yet. I think they are a little disappointed about that but we are working on it and we had a very good discussion. The Hometown Hero banners have come in for the veterans and they will be going up in May at some point. They look great.

Today we hosted a Youth Work Force Development Program. We brought together three (3) school districts, Burnt Hills, Niskayuna and Scotia-Glenville. Teachers, administrators and myself toured a variety of businesses here in the town. We visited Belgioioso, Dimension Fabricators, the 109<sup>th</sup>, Bruno. We had a great luncheon here that was hosted by Metroplex. We spent a lot of time connecting the school districts with the business owners because what we found was the business owners are frustrated that they have work, what we heard today, repeatedly was if I could hire someone right now, I would. Dimension Fabricators said that he can take eight to ten (8-10) people on right now. They cannot find well trained labor; they cannot find people who are ready to work with basic skills and it’s really a problem. So, what we are trying to do is create apprenticeship programs through the school that will help students come in during summer hours and work and then they would have a job waiting for them as they graduate. It was a phenomenal day, very impressed by all that is going on in the town.

The Town of Glenville has openings right now. This is the first time in our history that I have any memory of, we have not received one (1) application. We have

never seen this before and these are good jobs.

Earth Day is coming up and I am planning a park clean-up over at Cozy Dale and that starts at 10:00 AM until the park is clean. One of the things we did for Earth Day this year is deploy with the help of Vicki and the folks in our highway department, wood duck houses, bat houses and bird houses throughout our parks and concentrated them many of them in the Cozy Dale Nature Preserve to help habitats there to make sure they are well protected with their houses.

Construction on the pavilion is close to being ready. We are working towards that.

We instituted a new procedure for disinfecting the playground equipment which provides germ protection for ninety (90) days.

One thing I want to put on the work session for next month is talking about our parks and making them smoke free. Many of you may remember we tried to make them smoke free years ago, I was on the board. We decided not to make them smoke free at that time, not in Code, but to put signs up saying that it was a smoke free park. The reason we may want to revisit that now is that under the new marijuana law where ever you can smoke a cigarette you can smoke marijuana. That would mean that if we don't have a code against smoking in the park people can smoke legally, marijuana. That is something we have to take about.

Speaking of the new marijuana law there has been a lot of information and some mis-information out there about it so I decided to host a listening event next Wednesday, April 28<sup>th</sup>. I plan on presenting the law, Earl and Courtney have been helping me with that. I think it is important that we listen to what the residents have to say. I don't know about you guys but I have had emails on both sides of it. I have had people say absolutely no, it destroyed my family and I have had people say it saved my life. It is mor of a listening opportunity.

Supervisor Koetzle moved ahead with the agenda

### **RESOLUTION NO. 92-2021**

**Moved by:** Councilman Godlewski

**Seconded by:** Councilman Aragosa

**WHEREAS**, a Petition and Notice to Review the Assessment for taxation for the tax roll year 2020 was commenced by Highbridge Development Airport SP, LLC, the then-owner of the real property described on the assessment rolls as tax map No. 30.-1-43 and commonly known as 21 Airport Road, Glenville, New York as 241 Saratoga Road, Glenville, New York (S/B/L # 30.-1-43) and was duly served upon the Assessor in 2020; and

**WHEREAS**, Highbridge Development Airport SP, LLC transferred its ownership of the property to NCGRE Project X, LLC on or about October 1, 2020; and

**WHEREAS**, the Town, through its Assessor, have thoroughly reviewed this matter and are prepared to enter into a Stipulated Final Judgment and Stipulation in compromise and settlement of their differences as follows;

That the proceeding for tax roll year 2020 in relation to the subject parcel of real property shall be discontinued and the proceedings for the tax roll year 2020 shall be settled on the following terms and conditions:

1. This settlement is made in resolution of all past and present claims or proceedings with respect to the subject property's real property tax assessment;

- 2. Approval of this settlement and all required authorizations and enactments by the necessary parties shall be made in good faith and as expeditiously as possible;
- 3. Pursuant to Real Property Tax Law section 727, the proceedings for the subject tax roll years shall be settled by establishing the assessment of the 21 Airport Road property at the revised assessed values as follows:

Year	Tax Map Number	Original Assessment	Revised Assessment	Reduction
2020	30.-1-43	\$5,714,000	\$5,357,000	\$357,000

- 4. That there is no refund for 2020 Town, Highway and Special District taxes to be paid.
- 5. That refunds based on the sum equal to the difference between the real property taxes paid based upon the 2020/21 school tax bill and the taxes that would have been paid if the assessment had been based upon the Revised Assessment for such year(s), including all interest and costs, shall be waived in consideration for the above reduction.
- 6. All other provisions of the RPTL section 727, including RPTL 727 (2) shall apply to this settlement. That is, the property owner agrees not to bring another tax certiorari proceeding with respect to this property for the three years following the affected tax year unless the improvements on the property shall be destroyed, demolished or removed and the Assessor agrees to maintain the assessment based upon the revised assessed value for 2020 (as stated above) for those three years unless required by additions, alterations or capital improvements.
- 7. In consideration hereof, the tax certiorari proceedings brought by the taxpayer shall be discontinued on the merits with prejudice and without costs to either party or against the other.
- 8. The parties agree that the Stipulated Final Judgment is entered into for good and valuable consideration, that it is the entire agreement of the parties, that it is made to resolve this litigation and shall not be offered in any other proceeding by any party as competent evidence of any fact, that the Stipulated Final Judgment may be filed in the office of the Schenectady County Clerk and an Order may be entered, based upon the Stipulation by either party on notice to the other.

**WHEREAS**, it appears to be in the best interests of the Town to settle said matter as recommended by the Attorney for the Town and the Assessor without further attendant legal and appraisal costs; and

**WHEREAS**, the property is located in the Scotia-Glenville Central School District, and the District has intervened in the proceedings;

**NOW THEREFORE, BE IT RESOLVED** that the Town Board of the Town of Glenville hereby authorizes the Assessor for the Town to enter into Stipulated Final Judgment and Stipulation with NCGRE Project X, LLC for the settlement of the tax certiorari proceedings brought relative to the property known as 21 Airport Road, Glenville, NY (S/B/L # 30.-1-43) under the terms outlined above.

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

**Abstention:** None

**Motion Carried**

**RESOLUTION NO. 93-2021**

**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 Article V, “Uses Permitted and Dimensional Regulations by District”, Chapter 270-19.1, 270-20, 270-23 and 270-24 with accompanying amendments to the Code of the Town of Glenville (a copy of which is attached hereto); and

**WHEREAS**, this proposed Code amendment is the product of much study and discussion by the Town of Glenville Code Revision Commission which found that the use referenced in the solar law is not cross-referenced in the town zoning code permitted uses under the separate *Districts* as described in Article V; and

**WHEREAS**, the Local Law clarifies the existing regulations regarding approval processes, and constitutes a Type II Action under the State Environmental Quality Review Act (SEQRA) which does not require further review; 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, May 5, 2021 at 7:00 P.M., or as soon thereafter as possible, at which time it will hear all persons interested in the proposed amendments of Article V, “Uses Permitted and Dimensional Regulations by District”, Chapter 270-19.1, 270-20, 270-23 and 270-24 of 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; and

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

**Noes:** None

**Absent:** None

**Abstentions:** None

**Motion Carried**

**RESOLUTION NO. 94-2021**

**Moved by:** Councilman Martin

**Seconded by:** Councilwoman Wierzbowski

**WHEREAS**, the Town of Glenville is proposing a Local Law (a copy of which is attached) that amends Article XXII, “Solar Energy”, Chapter 270-166 for the Code of the Town of Glenville; and

**WHEREAS**, the intent of this section is to clarify the required approval process for large scale solar applications within eligible zoning districts in the Town of Glenville; and

**WHEREAS**, the Glenville Town Board has determined that this code amendment constitutes a “Type II Action” in accordance with 6 NYCRR Part 617.4(b)(2) of the State Environmental Quality Review Act in that it involves a clarification of an existing section of the zoning code; and

**WHEREAS**, New York State Town Law and the Code of the Town of Glenville, require that the Town Board hold a public hearing before a code amendment or a local law may be adopted; and

**WHEREAS**, the Town Board of the Town of Glenville held a public hearing with respect to the zoning code amendment and adoption of said Local Law on Wednesday, April 21, 2021 at 7:00 PM, at which time and place were heard all persons interested in the amendment of Article XXII, “Solar Energy”, for the Code of the Town of Glenville,

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board of the Town of Glenville does hereby adopt Local Law No. 8 of 2021 amending Article XXII, “Solar Energy”, of the Code of the Town of Glenville; and

**BE IT FURTHER RESOLVED**, that this Local Law shall take effect twenty (20) days after filing with the Secretary of State of the State of New York.

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

**Motion Carried**

**RESOLUTION NO. 95-2021**

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

**WHEREAS**, the Town of Glenville is proposing a Local Law (a copy of which is attached) that amends Article IX, “Sign Requirements”, for the Code of the Town of Glenville; and

**WHEREAS**, the intent of this section is to communicate to property owners the requirements for sign installations in the Town of Glenville; and

**WHEREAS**, the Glenville Town Board has determined that this code amendment constitutes a “Type II Action” in accordance with 6 NYCRR Part 617.4(b)(2) of the State Environmental Quality Review Act in that it involves a clarification of an existing section of the zoning code; and

**WHEREAS**, New York State Town Law and the Code of the Town of Glenville, require that the Town Board hold a public hearing before a code amendment or a local law may be adopted; and

**WHEREAS**, the Town Board of the Town of Glenville held a public hearing with respect to the zoning code amendment and adoption of said Local Law on Wednesday, April 14, 2021 at 7:00 PM, at which time and place were heard all persons interested in the amendment of Article IX, “Sign Requirements”, for the Code of the Town of Glenville,

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board of the Town of Glenville does hereby adopt Local Law No. 9 of 2021 amending Article IX, “Sign Requirements”, of the Code of the Town of Glenville; and

**BE IT FURTHER RESOLVED**, that this Local Law shall take effect twenty (20) days after filing with the Secretary of State of the State of New York.

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

**Motion Carried**

**RESOLUTION NO.**

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

**WHEREAS** the Town of Glenville applied for and was awarded NYSDEC Urban Forestry grant funds to inventory the remaining tree stock in the suburban areas and develop a management plan; and

**WHEREAS** the town Economic Development and Planning Office issued a Request for Proposals (RFP) for the project which resulted in a response from five consultants; and

**WHEREAS** a committee of interdepartmental town hall staff and members of the tree board reviewed the RFP responses using a rating sheet and the scoring was aggregated to determine best value for the project; and

**WHEREAS** Davey Resource was the best value low bidder at \$21,310 for the project as well as public meetings based on the committee's review;

**NOW, THEREFORE, BE IT RESOLVED THAT**, the Glenville Town Board authorizes the Supervisor to sign a contract for forestry services with Davey Resource Group concerning the continuation of the town's tree inventory and development of a management plan.

This resolution will take effect immediately.

**Ayes:**  
**Noes:**  
**Absent:**  
**Abstention:**

**Motion Carried/Defeated**

Earl T. Redding, Attorney – "What I would like to do is, further discussion is needed on this matter, I'd like to put that over until the next meeting. I need a motion to table it."

Motion to table was moved by Councilman Godlewski, seconded by Councilman Martin.

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

**Motion Carried**



**RESOLUTION NO. 96-2021**

**Moved by:** Councilman Godlewski  
**Seconded by:** Councilman Aragosa

**BE IT RESOLVED**, that the minutes of regular Town Board meeting held on April 7, 2021 are hereby approved and accepted as entered.

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

**Motion Carried**

**RESOLUTION NO. 97-2021**

**Moved by:** Councilman Godlewski  
**Seconded by:** Councilman Aragosa

**BE IT RESOLVED** that the **Monthly Departmental Reports** for March, 2021 as received from the following:

Assessors 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 Martin, Aragosa, Godlewski, Councilwoman Wierzbowski and Supervisor Koetzle  
**Noes:** None  
**Absent:** None  
**Abstentions:** None

**Motion Carried**

**RESOLUTION NO. 98-2021**

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

**BE IT RESOLVED**, that the Town Board of the Town of Glenville hereby adjourns into Executive Session to discuss matters leading to the discipline, suspension, dismissal or removal of a particular person in the Highway Department and to discuss pending or current litigation regarding the matter of Robinson v. Piotrowski, et. al.

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

**Motion Carried**

Supervisor Koetzle adjourned this portion of the meeting at 7:35 PM and entered into Executive Session.

Time being 8:35 PM; Supervisor Koetzle reconvened the meeting, no action was taken.

Supervisor Koetzle asked for a motion to adjourn; Moved by Councilman Aragosa; Seconded by Councilwoman Wierzbowski, everyone being in favor the meeting was adjourned at 8:36 PM.

ATTEST:

---

Linda C. Neals  
Town Clerk