

MEETING OF THE TOWN BOARD
TOWN OF GLENVILLE
September 1, 2021
AT THE GLENVILLE MUNICIPAL CENTER
18 GLENRIDGE ROAD, GLENVILLE, NEW YORK

Supervisor Koetzle called the meeting to order at 7:01 PM;

Invocation

Pledge of Allegiance to the Flag

Supervisor Koetzle asked the Deputy Town Clerk, Julie Davenport, to call the roll.

Present: Supervisor Christopher A. Koetzle, Councilmen James M. Martin, Michael Aragosa, Michael R. Godlewski and Councilwoman Gina Wierzbowski

Absent: None

Also, present were Earl Redding, Attorney for the Town; Jason Cuthbert, Comptroller, Judge Paul Davenport, Judge Jennifer McPhail, Stephen Janik, Police Chief, Vicki Hillis, Director of Human Service.

Town Council Reports

Councilman Godlewski: I just want to take a brief moment to acknowledge tonight is our Town Clerk, Linda Neals, last meeting and I just to say thank you for everything you've done. You set a very high bar for whoever replaces you.

Councilwoman Wierzbowski: Linda, we've worked together for many, many years and I just want to wish you all the best in your retirement. You've always been someone who has been extremely helpful to all of us as a board and I greatly appreciate all you've done for the Town and I hope you have a wonderful, happy, long retirement planned.

Councilman Martin: I would like to say the same to Linda. It's been a true pleasure working with such a dedicated public servant and who really understands to serve in the role she did. Such high contact and quality contact with the public all these years. I'm certainly going to miss you I know that and I wish you all the absolute best in your retirement, long and happy and healthy.

Councilman Aragosa: I was down at Maalwyck park today to looking into my role as parking guy for the Oktoberfest coming up. I see that the playground is started which is very exciting to me, so that's good news. This weekend, Saturday, I played golf with Councilman Godlewski, Supervisor Koetzle was there with a group and we were out there supporting the Scotia Glenville Elks. It was nice to see John Pytlovany who sat next to me for two years on this board. It was a really nice day. Monday, we did it again and at VanPatten Golf Course, to support the Village, Police and Fire foundations and again Mr. Koetzle and Mr. Godlweski were there and it was a nice to be out and do that. As for Linda let me just say that as a freshman councilman, 4 years ago, you did nothing less but make it much easier for us all and for the four years we've been together it's been a pleasure. Thank you

Supervisor Koetzle opened the public hearing at 7:07 PM

No one wished to speak; Supervisor Koetzle closed the public hearing at 7:08 PM

Supervisor Koetzle: Moving on to item six, we actually have two items and I will start with Linda Neals. If Linda you would like to join me at the podium, we just have a little something for you. Supervisor reads a Proclamation presenting to Linda, thanking her for her years of service to the Town and establishing September 13, 2021 as Linda Neals Day.

Linda Neals, Town Clerk speaks. You are all like family to me, everyone like family, it's been such an honor to work with all of you and to serve the residents. I started this in 1989 and never realized how far this would go as a career. I just have been very blessed and I thank you all for being my friends. Thank you.

Chief Janik speaks and thanks the board for their support of the Police Department and speaks on Detective Lavery for his hard work, graduating from crime scene school and congratulates him on his promotion. Detective Charles Lavery gets sworn in. Detective Lavery thanks everyone.

No one wished to exercise the privilege of the floor.

Supervisor's Comments:

A few quick comments tonight, it won't take long here, just a few updates. First of all, if you can tell by this room and parts of the building we've started the conversion of our lights from the old 1980 fluorescent lights to the new LED on that side of the room. As you can see from that part of the room the LED are a lot brighter, a lot clearer as far as the light. So, we are very excited about that, we've had great comments from our employees, about how much nicer everything looks since the lights have been turned over. Just to refresh everyone's memory on this, this was the lighting program that is estimated to save us 12,000.00 kilowatts hours annually, here at Town Hall. Of course, as I mentioned enhanced the beautification of the building and also enhance worker conditions, so far, it's proven to be the case. The cost of this project was \$50,000.00, if you remember National Grid provided \$12,000.00 in incentives and that brought the price to \$38,000.00. That was a resolution we all approved a couple of months back. They say there is a 13% return on investment so that would total about \$5,000.00 a year in savings and that would make the project pay for itself within 8 years. The reduction of the energy consumption actually over the life time of the new building is projected to result in a significant reduction in carbon dioxide, nitrogen oxide, and sulfur dioxide. I gave you all those numbers, about a half a million pounds of carbon dioxide, about 274 pounds of nitrogen oxide and 1,000 pounds of sulfur dioxide, so we are doing our part to help the environment. So that is something I wanted to report on quickly.

As you also might be able to tell, maybe you came in when it was dark and you couldn't, we have started to painting the outside of the building, it looks a lot better.

Rob is doing that and he is doing a great job. It's taken him a long time as it is a lot of work as you can imagine, the scrapping, the sanding, and the priming. That is coming along as well and will be nicer when it's done.

Some updates on grants, the Climate Smart Community Grant for the sidewalks to the schools are plugging along. As I mentioned before and as you know the Sacandaga Elementary sidewalk on Broad Street is done, that's ready to go for the school year. The Lake Hill Road, O'Rourke Middle School is about 90% ready and we are looking at getting a bid package together shortly, so we are moving on that very quickly. The Glen Cliff Elementary one in Alplaus is in preliminary designs still with County. Word is the County has gotten backer agreement on their engineering study but the Town has not privy to that yet, so we are setting up a meeting with the County and the Alplaus Resident Association to talk about that project. It's kind of stalled being that the County took a long time but we will move as fast as we can from our perspective.

The Freemans Bridge Road multi use path is with a consultant as you know and we are working now with National Grid to move some utility polls for that project after the engineering was done on that. Some polls have to be moved and we are hoping to get started on that very shortly. Preliminary drawings should be here, I was going to say the month but it's a new month so they should be here within a couple of weeks, a week or two.

The other thing I wanted to update you on is the Local Water Front Redevelopment Program, the Mohawk Hudson Bike Trail, that is also with consultant and in design right now. We have a consideration into the County for the Whipple Bridge replacement, which is more expensive than anyone anticipated. We are waiting to hear more from the County on that one. That's kind of the grand update so far.

Lastly, some dates for everyone to, oh, first before I do that. Thursdays in the Park has been very successful this year despite all the rain and all the changes of dates. We have a loyal following that come out on Monday or Friday or Thursday or whatever night it is and they just love it! It's been getting more and more folks coming and we are very excited. It's been a great season with good acts, 2096 was great, they all were. This Thursday is Movie in the Park, Tom and Jerry, we have a few things going on of course Stewarts Ice Cream always free at these events. We have a safety car seat check with the Police Department, we have free bike helmets. We have Fire District Chiefs doing some safety types of some kind, I haven't heard exactly what they are doing.

Councilwoman Wierzbowski adds; yeah, I don't know exactly what they are doing, but they are planning something.

Supervisor continues: And free popcorn, curtesy of the Oktoberfest Hannel's scooping popcorn. Speaking of Oktoberfest, we have been meeting, Vicki, Dave and I and having frank discussions about where we are going with Oktoberfest right now. I would say at this particular juncture we need to figure out where some of these events are going, Larkfest cancelled some other festivals have cancelled. The Governor hasn't really provided clear guidance at this juncture but hinting towards some potential mandates or crack downs or whatever you want to call them. The Greek Fest has announced they are going forward but they are going forward with takeout food so you can get your container and go. So, we are really I think we are sitting on the edge right now deciding is this a go/no go at this juncture. We really can't go much past Labor Day on the decision. My feeling is if the State mandates masks it's a no go, we are not going to be able to keep masks on ten thousand people. We are just going to be able to do it. If they mandate vaccine cards it's a no go. We cannot check vaccine cards, there is no checking point there, they come from all over. Just no way, we are just setting up for failure at that point. So we are watching it, I think there is going to be, I can honestly say at this juncture there will be some amendments to the plan right now. There going to change some things, so

just to try and protect somethings. But the State, stay tuned to that, because we just, we will be getting together with Dave after Labor Day. I think we have a meeting on the calendar and making a final kind of decision at that juncture.

The other things I just want to get on your calendar on September 11th, obviously it's the 20th Anniversary of 911. We will be doing the ceremony at the Lighthouse again this year at 1:00 PM, if you can make that. The Town as you know you doing the sign unveiling at, the same day on 9/11, at Dutch Meadows at 3:00 PM. That one requires RSVP's so we can gage seating properly at the park, the soon to be park. So just let me know if you plan on attending that or not. That's all I have for updates. Thank you.

Sponsored by: Christopher A. Koetzle, Town Supervisor
Submitted by: Jason Cuthbert, Town Comptroller

RESOLUTION NO. 160 -2021

Moved by: Councilwoman Wierzbowski
Seconded by: Councilman Martin

WHEREAS, the Town of Glenville is eligible for funding from the Coronavirus State and Local Fiscal Recovery Funds of H.R. 1319 American Rescue Plan Act of 2021 (CSLRF); and

WHEREAS, the State of New York will provide for the distribution of funds to eligible New York State municipalities; and

WHEREAS, before receiving the payment, the Town Board is required to formally accept the CSLRF funds; and

WHEREAS, revenue received under the CSLRF must only be spent for purposes authorized by the CSLRF, and applicable regulations, and by state law; and

WHEREAS, the Town of Glenville must comply with all applicable budgeting, accounting, contracting, reporting, and other compliance requirements for CSLRF funds;

NOW THEREFORE, BE IT RESOLVED that the Town Board of the Town of Glenville hereby accept and request CSLRF funding to be distributed by the State of New York; and

BE IT FURTHER RESOLVED, that the Town of Glenville affirms that the CSLRF

revenue will only be used for the purposes prescribed in the CSLRF, and in the U.S. Treasury Guidance in 31 CFR, Part 35, and any applicable regulations, and in accordance with state law; and

BE IT FURTHER RESOLVED, that the Town of Glenville will comply with procedures created by the State of New York and the U.S. Treasury Department to receive funds under the act; and

BE IT FURTHER RESOLVED, that the Town of Glenville will comply with all applicable federal and state budgeting, accounting, contracting, reporting, and other compliance requirements for CSLRF funds; and

BE IT FURTHER RESOLVED, that the Town Board of the Town of Glenville designates and directs the Town Supervisor, Christopher A Koetzle take all actions necessary on behalf of the Town Board to receive the CSLRF funds.

Ayes: Councilman Aragosa, Godlewski & Martin, Councilwoman Wierzbowski and Supervisor Koetzle

Noes: None

Absent: None

Abstention: None

Motion Carried

Town Board decision on September 1, 2021

Sponsored by: Christopher A. Koetzle, Town Supervisor

Submitted by: William S. Purtell, Town Assessor

RESOLUTION NO. 161 -2021

Moved by: Councilwoman Wierzbowski

Seconded by: Councilman Martin

WHEREAS, a Petition and Notice to Review the Assessment for taxation for the tax roll years 2018, 2019, 2020 and 2021 was commenced by Mayfair Associates, the owner of the real property described on the assessment rolls as tax map No. 22.-1-1.1 and commonly known as 5 Glenridge Road, Glenville, New York (S/B/L # 22.-1-1.1) and was duly served upon the Assessor in 2018, 2019, 2020 and 2021; and

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

That the proceedings for tax roll years, 2018, 2019, 2020 and 2021 in relation to the subject parcel of real property shall be discontinued and the proceedings for the tax roll years 2018, 2019 and 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 5 Glenridge Road property at the revised assessed values as follows:**

Year	Tax Map Number	Original Assessment	Revised Assessment	Reduction
2018	22.-1-1.1	\$484,300	\$484,300	\$0
2019	22.-1-1.1	\$484,300	\$484,300	\$0
2020	22.-1-1.1	\$484,300	\$484,300	\$0

- 4. That there is no refund for 2018, 2019, 2020, and 2021 Town, Highway and Special District taxes to be paid.**
- 5. That the tax roll assessment for the years 2021-22, 2022-23 and 2023-24 shall be set at \$484,300 in accordance with RPTL section 727.**
- 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 current 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 Consent Order and 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 Consent Order and Judgment may be filed in the office of the**

Schenectady County Clerk and an Order may be entered, based upon the Consent 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 not 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 Consent Order and Judgment with Mayfair Associates for the settlement of the tax certiorari proceedings brought relative to the property known as 5 Glenridge Road, Glenville, NY (S/B/L # 22.-1-1.1) under the terms outlined above.

Ayes: Councilman Aragosa, Godlewski & Martin, Councilwoman Wierzbowski and Supervisor Koetzle

Noes: None

Absent: None

Abstention: None

Motion Carried

Town Board decision on September 1, 2021

Sponsored by: Christopher A. Koetzle, Town Supervisor

Submitted by: William S. Purtell, Town Assessor

RESOLUTION NO. 162-2021

Moved by: Councilwoman Wierzbowski

Seconded by: Councilman Martin

WHEREAS, a Petition and Notice to Review the Assessment for taxation for the tax roll years 2018, 2019, 2020 and 2021 was commenced by MSF Mayfair, LLC, the owner of the real property described on the assessment rolls as tax map No. 22.-1-1.21 and commonly known as 262 Saratoga Road, Glenville, New York (S/B/L # 22.-1-1.21) and was duly served upon the Assessor in 2018, 2019, 2020 and 2021; and

WHEREAS, the Town, through its Assessor, have thoroughly reviewed this matter and are prepared to enter into a Consent Order and Judgment in compromise

and settlement of their differences as follows;

That the proceedings for tax roll years, 2018, 2019, 2020 and 2021 in relation to the subject parcel of real property shall be discontinued and the proceedings for the tax roll years 2018, 2019, 2020 and 2021 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 262 Saratoga Road property at the assessed values as follows:

Year	Tax Map Number	Original Assessment	Revised Assessment	Reduction
2018	22.-1-1.21	\$5,582,900	\$5,582,900	\$0
2019	22.-1-1.21	\$5,582,900	\$5,582,900	\$0
2020	22.-1-1.21	\$5,770,900	\$5,770,900	\$0

4. That there is no refund for 2018, 2019, and 2020 Town, Highway and Special District taxes to be paid.
5. That the tax roll assessment for the years 2021-22, 2022-23 and 2023-24 shall be set at \$6,440,000.00.
6. That RPTL 727 shall apply to this settlement for the 2021, 2022 and 2023 tax years except that, if there is a decrease in the occupancy rate of fifteen percent (15%) or greater in a building located on SBL#22.-1-1.21 as of the taxable status date for 2022 or 2023, Petitioner will have the right to file a grievance and seek relief under RPTL Article 7 for the applicable taxable status date.
7. Except for the preceding paragraph 6, all other provisions of the RPTL section 727, including RPTL 727 (2) shall apply to this settlement. That is, except for the exception set forth in paragraph 6 above, 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 current assessed value for 2021 (as stated above) for those three years unless required by additions, alterations or capital improvements.
8. 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.

9. The parties agree that the Consent Order and 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 Consent Order and Judgment may be filed in the office of the Schenectady County Clerk and an Order may be entered, based upon the Consent 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 not 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 Consent Order and Judgment with MSF Mayfair, LLC for the settlement of the tax certiorari proceedings brought relative to the property known as 262 Saratoga Road, Glenville, NY (S/B/L # 22.-1-1.21) under the terms outlined above.

Ayes: Councilman Aragosa, Godlewski & Martin, Councilwoman Wierzbowski and Supervisor Koetzle

Noes: None

Absent: None

Abstention: None

Motion Carried

Town Board decision on September 1, 2021

Sponsored by: Christopher Koetzle, Town Supervisor
Submitted by: Jason Cuthbert, Town Comptroller

RESOLUTION NO. 163-2021

Moved by: Councilwoman Wierzbowski
Seconded by: Councilman Martin

WHEREAS, the Water User Fee Roll of the Town of Glenville, Water District #11 was approved for collection as of June 1, 2021 in the amount of \$1,578,285.80; and

WHEREAS, since June 1, 2021, due to reporting and clerical errors, adjustments are required to correct the accepted warrant;

NOW, THEREFORE, BE IT RESOLVED that the billing for the following customer accounts be adjusted:

#	ACCOUNT NUMBER	OWNER	ADJUSTMENT
1	47-0447118500-001	654 Saratoga Rd	(\$1,715.41)
2	06-0106100300-001	58 Swaggertown Rd	(\$90.00)
3	22-0122104900-001	324 Alplaus Ave	(\$897.21)
4	47-0447112400-001	21 Saratoga Rd	(\$612.04)
5	50-0150200340-000	340 Closson Rd	\$40.00
	ALL ADJUSTMENTS	TOTALS	(\$3,274.66)

BE IT STILL FURTHER RESOLVED that the corrected warrant for Water District #11 is \$1,575,011.14.

Ayes: Councilman Aragosa, Godlewski & Martin, Councilwoman Wierzbowski and Supervisor Koetzle

Noes: None

Absent: None

Abstentions: None

Motion Carried

Town Board decision on September 1, 2021.

The Supervisor introduced the Resolution, gave a description of it and asked Judges to explain the background of it. Judge Davenport explained the back ground and necessity of the resolution.

Sponsored by: Christopher A. Koetzle, Town Supervisor

Submitted by: Stephen V. Janik, Chief of Police

RESOLUTION NO. 164 -2021

Moved by: Councilwoman Wierzbowski

Seconded by: Councilman Martin

WHEREAS, Schenectady County is submitting to the New York State Office of Court Administration (NYS OCA) a plan for counsel at initial appearance coverage for arraignments in local courts; and

WHEREAS, the proposed plan provides for a central arraignment part may be conducted twice a day at the Schenectady County Jail, rather than at the town or village justice court location of the arrest; and

WHEREAS, the proposed plan requires the cooperation of the various local town and village justices; and

WHEREAS, the proposed plan should assure consistency in representation, as well as in the afterhours schedules of the various town and village justices; and

WHEREAS, state funding is available to provide for the expenses of the justices, as they travel to the City of Schenectady to preside over initial appearances for arraignments; and

WHEREAS, this program will promote efficiencies among the town and village justices, justice courts, as well as county operations, providing mutual cooperation amongst the county's participating municipalities.

NOW THEREFORE, BE IT RESOLVED that the Town Board of the Town of Glenville hereby adopts this resolution in support of the above outlined plan. The Town Board of the Town of Glenville hereby submits this resolution to the County of Schenectady to be shared with the NYS OCA and all other municipalities located within the county, demonstrating the town is in favor of the county's proposed plan for counsel at initial appearance coverage for arraignments in local courts.

Ayes: Councilman Aragosa, Godlewski & Martin, Councilwoman Wierzbowski and Supervisor Koetzle

Noes: None

Absent: None

Abstention: None

Motion Carried

Town Board decision on September 1, 2021

Sponsored by: Christopher A. Koetzle, Town Supervisor
Submitted by: Vicki Hillis, Director of Human Services

RESOLUTION NO.165-2021

Moved by: Councilwoman Wierzbowski
Seconded by: Councilman Martin

WHEREAS, the Town Board of the Town of Glenville is empowered by Town Law to, among other things adopt policies governing the behavior of town employees; and

WHEREAS, every employer in the New York State is required to adopt a Workplace Violence prevention policy. and

WHEREAS, the Attorney for the Town has reviewed the existing Town of Glenville Workplace Violence prevention policy and has updated it to reflect changes in New York State law; and

NOW THEREFORE, BE IT RESOLVED that the Town Board of the Town of Glenville hereby adopts the Town of Glenville Workplace Violence Prevention Policy and directs that it be added to the Town's Personnel Policy Manual, replacing the prior policy on this subject; and

BE IT FURTHER RESOLVED that pursuant to the Workplace Violence Prevention Policy, all Town employees and volunteers receive Workplace Violence Prevention training on or before October 31, 2021.

Ayes: Councilman Aragosa, Godlewski & Martin, Councilwoman Wierzbowski and Supervisor Koetzle

Noes: None

Absent: None

Abstention: None

Motion Carried

Town Board decision on September 1, 2021

Sponsored by: James M. Martin, Town Councilman
Submitted by: Melissa Cherubino, Community Development Director

RESOLUTION NO. 166-2021

Moved by: Councilman Martin

Seconded by: Councilwoman Wierzbowski

WHEREAS, a Member of the Town Board of the Town of Glenville is introducing a NYS Homes and Community Renewal (NYSHCR) Community Development Block Grant (CDBG) application to the Micro-enterprise fund for \$300,000 which the Town of Glenville will convey to the Glenville Local Development Corp through a sub-recipient agreement; and

WHEREAS, submission of the application through the Consolidated Funding Application (CFA) requires a public hearing and Town Board approval authorizing the Community Development Director to submit the enclosed application and attachments; and

WHEREAS, the purpose of any Micro-enterprise grant funding will be to support small business expansion and start-up in amounts between \$5,000 to \$35,000 each based on proof of need, completion of a small business owner Entrepreneurs Boot Camp class through Capital District Chamber of Commerce, business plan development and financial capacity to operate the business; and

WHEREAS, applying for the grant constitutes a Type II Action under SEQR 6 NYCRR 617.5 (c)(26) (26) *routine or continuing agency administration and management* and any individual awards will be subject to SEQR review if they meet or exceed any Type I thresholds;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Glenville met at the Glenville Municipal Center, 18 Glenridge Road, Glenville, New York on Wednesday, September 1, 2021 at 7:00 P.M., that the proposed NYSHCR CDBG Micro-enterprise application for the Town of Glenville hereby is authorized for submission.

Ayes: Councilman Aragosa, Godlewski & Martin, Councilwoman Wierzbowski and Supervisor Koetzle

Noes: None

Absent: None

Abstentions: None

Motion Carried

Town Board Decision on September 1, 2021

Sponsored by: Michael R. Godlewski, Town Councilman
Submitted by: Linda C. Neals, Town Clerk

RESOLUTION NO. 167-2021

Moved by: Councilman Godlewski
Seconded by: Councilman Aragosa

BE IT RESOLVED, that the minutes of the Regular Town Board meeting held on August 18, 2021 are hereby approved and accepted as entered.

Ayes: Councilman Aragosa, Godlewski & Martin, Councilwoman Wierzbowski and Supervisor Koetzle

Noes: None
Absent: None
Abstentions: None

Motion Carried

Town Board decision on September 1, 2021

Sponsored by: Christopher A. Koetzle, Town Supervisor
Submitted by: William S. Purtell, Town Assessor

RESOLUTION NO. 168 -2021

Moved by: Councilwoman Wierzbowski
Seconded by: Councilman Martin

WHEREAS, a Petition and Notice to Review the Assessment for taxation for the tax roll years 2017, 2018, 2019, 2020 and 2021 was commenced by Wal-Mart Real Estate Bus Trust #2874, the owner of the real property described on the assessment rolls as tax map Nos. 30.-1-24.22 and 30.-1-24.21 commonly known as 200 Dutch Meadows Lane, Glenville, New York (S/B/L # 30.-1-24.22 and 30.-1-24.21) and was duly served upon the Assessor in 2017, 2018, 2019, 2020 and 2021; and

WHEREAS, the Town, through its Assessor, have thoroughly reviewed this matter and are prepared to enter into a Consent Order and Judgment in compromise and settlement of their differences as follows:

That the proceedings for tax roll years, 2017, 2018, 2019, 2020 and 2021 in relation to the subject parcel of real property shall be discontinued and the proceedings for the tax roll years 2017, 2018, 2019, 2020 and 2021 shall be settled on the following terms and conditions:

1. That the assessments on the above-referenced property be and the same are hereby reduced, corrected and fixed for the assessment years as follows:

PARCEL 30.-1-24.22

Tax Year	Current Assessment	Amount of Reduction	Revised Assessment
2017	\$12,898,700	\$0	\$12,898,700
2018	\$12,898,700	\$0	\$12,898,700
2019	\$12,898,700	\$0	\$12,898,700
2020	\$12,898,700	\$0	\$12,898,700
2021	\$12,898,700	\$877,064	\$12,021,636

PARCEL 30.-1-24.21

Tax Year	Current Assessment	Amount of Reduction	Revised Assessment
2017	\$126,300	\$0	\$126,300
2018	\$126,300	\$0	\$126,300
2019	\$126,300	\$0	\$126,300
2020	\$126,300	\$0	\$126,300
2021	\$126,300	\$0	\$126,300

2. That no petition for the review of the assessment of the subject property shall be filed for the 2022, 2023 and 2024 tax years if the assessment for these years shall be \$12,021,636 for parcel 30.-1-24.22 and \$126,300 for parcel 30.-1-24.21, provided however, the Assessor shall have the right to change the future assessment for any of the permissible reasons set forth in section 727 of the Real Property Tax Law, and the petitioner shall have the corresponding right to file a petition for the review of the changed assessment. The foregoing provisions shall apply notwithstanding the possible future appeal or invalidation of section 727 of the Real Property Tax Law;
3. That the officer or officers having custody of the assessment rolls upon which the above-mentioned assessments and any taxes levied thereon are entered shall correct the said entries in conformity with this Order and shall

note upon the margin of said rolls, opposite said entries, that the same have been corrected by the authority of this Order;

- 4. That in the event that taxes are unpaid and have already been billed in accordance with the original assessed valuation, the officer or officers having custody of the assessment rolls shall promptly forward to the Petitioner a new bill or bills taxing said petitioner on the basis of the final total assessed valuation agreed to hereto;**
- 5. That Petitioner waives all refund otherwise owed under the provisions of this Consent Judgment; and**
- 6. That these proceedings are discontinued with prejudice and without costs or disbursements against either party.**

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 not 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 Consent Order and Judgment with Wal-Mart Real Estate Bus Trust #2874 for the settlement of the tax certiorari proceedings brought relative to the property known as 200 Dutch Meadows Lane, Glenville, New York (S/B/L # 30.-1-24.22 and 30.-1-24.21) under the terms outlined above.

Ayes: Councilman Aragosa, Godlewski & Martin, Councilwoman Wierzbowski and Supervisor Koetzle

Noes: None

Absent: None

Abstention: None

Motion Carried

Town Board decision on September 1, 2021

Sponsored by: Jim Martin, Town Councilman
Submitted by: Melissa Cherubino, Community Development Director

RESOLUTION NO. 169-2021

Moved by: Councilman Martin
Seconded by: Councilwoman Wierzbowski

WHEREAS, a Member of the Town Board of the Town of Glenville is introducing a NYS Homes and Community Renewal (NYSHCR) Community Development Block Grant (CDBG) application to the Small Business fund for \$49,142 or 40% of total project costs which the Town of Glenville will convey to BONDED Roofing Materials owner(s) through a grant agreement; and

WHEREAS, submission of the application through the Consolidated Funding Application (CFA) requires a public hearing and Town Board approval authorizing the Community Development Director to submit the enclosed application and attachments; and

WHEREAS, the purpose of the Small Business grant funding will be to support expansion of warehousing and sales capacity through purchase of equipment (three forklifts, a loading dock, containers and wrap) which has a total cost of over \$122,000 with the 60% match is paid by the business owner, 20% in equity and 40% through business loan (\$24,573 and \$49,142 respectively); and

WHEREAS, funding awards are limited by the number of new employees hired by the company, and in this instance BONDED plans to hire six more employees – two warehouse workers, two sales people and two delivery drivers; and

WHEREAS, applying for the grant constitutes a Type II Action under SEQR 6 NYCRR 617.5 (c)(26) (26) *routine or continuing agency administration and management* and any project awards will be subject to SEQR review if they meet or exceed any Type I thresholds;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Glenville met at the Glenville Municipal Center, 18 Glenridge Road, Glenville, New York on Wednesday, September 1, 2021 at 7:00 P.M., that the proposed NYSHCR CDBG Small Business application for the Town of Glenville hereby is authorized for submission.

Ayes: Councilman Aragosa, Godlewski & Martin, Councilwoman Wierzbowski and Supervisor Koetzle

Noes: None

Absent: None

Abstentions: None

Motion Carried

Sponsored by: Christopher A. Koetzle, Town Supervisor
Submitted by: Courtney Heinel, Attorney

RESOLUTION NO. 170-2021

Moved by: Councilwoman Wierzbowski
Seconded by: Councilman Martin

WHEREAS, in 2019, RBC Glenville Development LLC. received approval from the Town Board of the Town of Glenville for a Residential Planned Development District (RPDD), and

WHEREAS, approval for the RPDD known as Dutch Meadows was conditioned upon RBC Glenville Development LLC conveying to the Town 6 +\ acres of land located generally north of Dutch Meadows Lane including Tax Map Parcels 30.-1-24.412, 30.13-3-43.1, 30.13-3-19.1 and 30.13-3-10.1.

WHEREAS, the warranty deed conveying such parcels to the Town of Glenville was recorded with the Schenectady County Clerk by RBC Glenville Development LLC. on August 26, 2021 in Deed Book 2065 at page 927 (a copy of which is attached), and

WHEREAS, the Town as the fee simple owner of the lands conveyed desires to dedicate such lands as parkland for the Town of Glenville; and

WHEREAS, the Town wishes to officially name the park as "Legacy Park"; and

WHEREAS, pursuant to Town Law 220(3) a resolution for the dedication of parkland is subject to permissive referendum,

NOW THEREFORE, BE IT RESOLVED that the Town Board of the Town of Glenville hereby officially dedicates the lands as fully depicted in the attached warranty deed as a public park.

BE IT RESOLVED that the Town Board of the Town of Glenville hereby officially names such public park as "Legacy Park".

BE IT RESOLVED that within 10 days of the passage of this resolution the Town Clerk of the Town of Glenville shall post and publish a notice, in the same manner as provided for notice of a special election, which shall set forth the date of the adoption of the resolution and contain an abstract of such resolution concisely stating the purpose and effect thereof. The notice shall specify that such resolution was adopted subject to a permissive referendum.

BE IT RESOLVED that this resolution shall take effect upon the passage

of 30 days from its adoption unless a qualified petition signed, acknowledged, proved or authenticated by electors of the town qualified to vote upon a proposition to raise and expend money in a number equal to at least five per centum of the total vote cast for governor in the Town at the last general election held for the election of state officers is received within 30 days

Ayes: Councilman Aragosa, Godlewski & Martin, Councilwoman Wierzbowski and Supervisor Koetzle

Noes: None

Absent: None

Abstention: None

Motion Carried

Town Board decision on September 1, 2021.

Sponsored by: Christopher A. Koetzle, Town Supervisor

Submitted by: Courtney Heinel, Attorney

This resolution was amended: the ending period was amended to reflect the ending date is December 31, 2021.

Supervisor moved to amend

Moved by: Councilwoman Wierzbowski

Second by: Councilman Martin

Ayes: Councilman Aragosa, Godlewski & Martin, Councilwoman Wierzbowski and Supervisor Koetzle

Noes: None

Absent: None

Abstention: None

Motion Carried

Sponsored by: Christopher A. Koetzle, Town Supervisor
Submitted by: Courtney Heinel, Attorney

RESOLUTION NO. 171 -2021

Moved by: Councilwoman Wierzbowski
Seconded by: Councilman Martin

WHEREAS, after many years of service as the Town Clerk and Registrar of Vital Statistics for the Town of Glenville, Linda Neals will retire, effective September 13, 2021; and

WHEREAS, Section 4121 of the New York State Public Health Law requires that that each Town Board appoint a Registrar of Vital Statistics and further states that the Town Clerk shall be eligible for appointment to said position; and

WHEREAS, Deputy Town Clerk Julie Davenport has previously served as Deputy Registrar of Vital Statistics, is fully familiar with the duties and responsibilities of the office, will be appointed Interim Town Clerk effective September 14, 2021 and has agreed to accept appointment to said office; and

WHEREAS, Section 4122 of the Public Health Law provides that the Registrar of Vital Statistics, immediately upon acceptance of her appointment shall appoint a deputy; and

WHEREAS, Section 4123 of the Public Health Law provides that the term of office of the Registrar of Vital Statistics shall be coterminous with the term of office of the Town Clerk;

NOW THEREFORE, BE IT RESOLVED that the Town Board of the Town of Glenville hereby appoints Julie Davenport as the Town of Glenville Registrar of Vital Statistics for a term commencing on September 14, 2021 and ending December 31, 2021.

Motion Carried

Town Board decision on September 1, 2021

**Sponsored by: Christopher A Koetzle, Town Supervisor
Submitted by: Courtney Heinel, Attorney**

RESOLUTION NO. 172-2011

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

WHEREAS, with the retirement of Linda Neals effective September 13, 2021 from the position of Town Clerk that position will become vacant; and

WHEREAS, Section 64 of the Town Law provides that the Town Board may appoint an Interim Town Clerk to fill the elected position until the commencement of the calendar year next succeeding the first annual election at which the vacancy may be filled; and

WHEREAS, Deputy Town Clerk Julie Davenport has faithfully served in her position with the Town for several years and is familiar with the duties and responsibilities of the Town Clerk position;

NOW THEREFORE, BE IT RESOLVED that the Town Board of the Town of Glenville hereby appointments Julie Davenport as the Town of Glenville Interim Town Clerk, effective September 14, 2021 and ending no later than December 31, 2021.

Ayes: Councilman Aragosa, Godlewski & Martin, Councilwoman Wierzbowski and Supervisor Koetzle

Noes: None

Absent: None

Abstention: None

Motion Carried

Town Board decision on September 1, 2021

Sponsored by: Gina Wierzbowski, Town Councilwoman
Submitted by: Courtney Heinel, Attorney

RESOLUTION NO. 173-2021

Moved by: Councilwoman Wierzbowski
Seconded by: Councilman Martin

WHEREAS, a written petition has been presented to and filed with the Town Clerk of the Town of Glenville requesting an extension of Water District No. 11 of the Town of Glenville to establish and include real property described by section, block and lot number as identified on the Schenectady County Real Property Tax Service Agency Tax Map as: 29.5-2-28 and consisting of one parcel located at 177 Foch Road in the Town of Glenville; and

WHEREAS, a map, plan and report dated July 2021 and a revised map, plan and report dated August 2021, both prepared by BOVA Engineering PLLC. and Advance Engineering & Surveying PLLC. fully describe the proposed extension; and

WHEREAS, The improvements proposed are the installation of approximately eighty (80) linear feet of water main and fire hydrant as an extension to the existing six (6) inch main in Foch Road, the new water service connection for the residential dwelling will terminate at the R.O.W. line with a curb stop and box and individual water service to the proposed residential dwelling to be provided through the use of ¾" Type K copper water service connected via corporation stop to the new six (6) inch diameter water main; and

WHEREAS, The amount proposed to be expended for the extension is approximately \$19,700.00 to be borne entirely by the property owner/developer; and

WHEREAS, No portion of the cost of this extension will be attributable to water District No. 11; and

WHEREAS, The estimated annual cost to the typical property is: \$45.63 for District Debt Service and \$74.31 for Operation and Maintenance; and

WHEREAS, The proposed financing method to be employed in the construction of this connection in this water district extension is private financing by the developer; and

WHEREAS, Upon construction and acceptance, the water system will be conveyed to the Town of Glenville for ownership and maintenance; and

WHEREAS, A scheduled public hearing must be held in order to consider the Town's adoption of the proposed extension to Water District No. 11; and

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, September 15, 2021 at 7:00 P.M., or as soon thereafter as possible, at which time it will hear all persons interested in the establishment and inclusion of real

property described by section, block and lot number as identified on the Schenectady County Real Property Tax Service Agency Tax Map as: 29.5-2-28 and consisting of one parcel located at 177 Foch Road in the Town of Glenville; and

BE IT FURTHER RESOLVED that the Town Clerk be and she is hereby authorized and directed to prepare and publish the proper public notice of said hearing in accordance with law; and

Ayes: Councilman Aragosa, Godlewski & Martin, Councilwoman Wierzbowski and Supervisor Koetzle

Noes: None

Absent: None

Abstentions: None

Motion Carried

Town Board Decision on September 1, 2021

Sponsored by: Christopher A. Koetzle, Town Supervisor

Submitted by: Vicki Hillis, Director of Human Services

RESOLUTION ADD ON NO.174 - 2021

Moved by: Councilwoman Wierzbowski

Seconded by: Councilman Martin

WHEREAS, Glenville Town Code Chapter 195-14 B (5) prohibits various activities pertaining to alcohol use or consumption in town parks, and

WHEREAS, the Rotary Club of Scotia, New York has applied for a Park Use Permit to conduct their Annual Scotia Rotary Past President's Picnic on September 14, 2021 at Maalwyck Park which includes the consumption of beer and other alcoholic beverages, and

WHEREAS, the Town has permitted alcohol use and consumption in town parks for special events, and

WHEREAS, the Rotary Club of Scotia, New York will comply with the permit and insurance requirements set in the Town Code,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Glenville hereby waives Town Code Chapters 195-14 B 5 for the consumption of alcoholic beverages proposed for the Annual Scotia Rotary Past President's Picnic on

September 14, 2021 and approves the permits for the aforementioned event.

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

Noes: None

Absent: None

Abstention: None

Motion Carried

Town Board decision September 1, 2021

There was no new business.

Supervisor motioned to adjourn

Moved by Councilman Martin

Seconded by Councilman Aragosa

Meeting adjourned at 7:55 PM

