

MEETING OF THE TOWN BOARD
TOWN OF GLENVILLE
JULY 19, 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 Supervisor/Commissioner of Public Works

Supervisor Koetzle – “Resolution No. 9, we will be taking up a “Positive Declaration”. Before we do that we will take up the assessment of Parts 2 & 3 of the Positive Declaration for the proposed project in Alplaus and then we will move into the positive declaration on that Prime Mohawk LLC.”

Town Council Reports:

Councilman Hennel – “This past Saturday we had a great event in Indian Meadows Park where the main entry road was dedicated to Jason Morris as “Jason Morris Way” in honor of his achievements as an Olympian from the Town of Glenville. It was a great event very well attended.”

Supervisor Koetzle – “Item No. 5 on the agenda is a public hearing to hear all persons wishing to be heard with respect to the proposed consolidation of certain special district extensions into already existing special districts.”

Supervisor Koetzle opened the public hearing at 7:05 PM.

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

Supervisor Koetzle – “Item No. 6 on the agenda is a public hearing to consider a petition requesting an extension to Sewer District No. 9 consisting of one parcel located at 7 Horstman Drive in the Town of Glenville.”

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.

The following people exercised the privilege of the floor.

Lori Antal, 33 Rosemere Road – She addressed the Board about the ongoing issues they have been having with the building from Mark Hindes. I was hoping he was going to be here tonight so that he could hear how I am addressing you. I have pictures of this simple drainage system that he has put in place, in front of my house and the neighbor’s house across the street. (Pictures were submitted) He did not put pipe down into the drainage ditch, the pipe is only underneath my driveway and the driveway across the street. When it rains, it floods and then he runs down to try and put the rocks back in. It is eroding on to my property. There is a simply fix. I have not spoken with Mr. Hindes personally because we have had problems since day one. So I’m asking the Board to, if he were to come and ask for further development that they take a look at these pictures and come to the house and see what we had to deal with.”

Supervisor Koetzle – “Just to fill in the blanks, it is a private road so it’s not the town’s drainage district.”

Ms. Antal – “It was an access road, we bought it in 2010 and I maintained it, plowed it in the winter. I was under the impression that if anyone ever built or bought 60 acres past me it would become a town road.”

Councilman Martin – “Does he have anything permitted, Mike, in terms of a building permit?

Mike Cuevas, Attorney for the Town – “He got subdivision approval for the additional lots and he has been seeking to have that private road approved by the Town because he is looking for the Town Board to waive a requirement in our Code that he has Attorney General’s approval or “No Action Letter”. Apparently he sold a lot before he applied for his Attorney General’s approval so the Attorney General is not looking to grant that approval because, in affect it becomes a homeowners association and there is simplified procedures it’s just the one asset the road and a private road has to be maintained so they are looking for the Town Board to accept in lieu of the Attorney General’s approval his assurances that he would put in easements that would run with the land his obligation to each of the property owners to maintain that road.”

Councilman Martin – “How many lots in the subdivision was approved?”

Attorney Cuevas – “Three were approved by the Planning and Zoning Commission with a condition of the acceptance of the road.”

Supervisor Koetzle shared the following information:

The bike trail need to be refurbished, it’s in disrepair and the CFA application is being submitted to help us repair that.

The second application is more of a planning application where we have talked about connecting the entire town with a bike and pedestrian trail which would include the Town Center, Glenridge Road, Woodhaven into Alplaus on the river back to Freemans Bridge connecting to the existing one and then out to Maalwyck Park. So we are putting in a planning grant for that.

John and I met with eleven candidates for the Town/Village joint committee.

The History Committee met, the Yates Benefit is scheduled for September 15th. It will be held at the Riverstone Manor.

Indian Meadows Concert and Movie Night will be held every Thursday night during the month of August.

I met with National Grid again and this time with the Public Service Commission at the table and I’ll tell you it is a little refreshing when you have them at the table. They were very helpful in trying to move the conversation on these corner poles. We are not there yet but we made progress and my next step is I have to meet with John Buhrmaster about some of the ideas.

It was a great turn out for the dedication of the street sign “Jason Morris Way” in Indian Meadows Park.

I have been meeting with the County regarding the Consolidation Plan that the Governor has proposed. We have a draft proposal. Just to go over it briefly, there are a couple of initiatives that they are looking to enact. The plan overview includes something they call an Inter-municipal Energy Savings Initiative. They are looking to do a variety of things to try and cut our energy bills collectively. One would require us to joining a solar energy consortium, they have a whole list of properties they want to put solar panels on, some of it is municipal property, some of it is foreclosure property within the

Town for example they are looking at 586 Sacandaga Road, they are looking at West Glenville Road, 923 Sacandaga Road all through County tax foreclosures. They claim that we can save a considerable amount if we join this consortium. They also suggested LED lighting initiative where they help with changing our lights to LED. I am still confused because we can just do that on our own. They also have an idea of a municipal lighting fund for facilitating LED lighting. They want to create a fund that the municipalities can draw from to take advantage of going to LED. LED Street lighting initiative in which they want the municipalities to take over the lighting district which we already did for Town Center and then with that savings and again I don't know why we can't just do this on our own why we have to consolidate with the County to do this. They came up with an idea to join a municipal electric and gas alliance which is basically a buying group so we can buy our energy through an energy alliance. Again, these savings haven't been presented to us. The Municipal Health Care Consortium is concerning again because we don't have any data on experience. I did send the County Manager an email asking for the City and the County's experience, it was my third request for that, because it's my view that the main driver of that is going to be the County and the City. They have their experience but until we see that I don't know how we can move forward. They just came up with this idea called the Countywide Purchasing Cooperative where we all come together and purchase through the County and that would require every municipality to agree on trucks, make and model, equipment like a one size fit all approach and it would include everything from office supplies to commodities to equipment and we would have to all be on the same schedule. If they said we are buying all of our trucks in March and we are not ready to buy, for whatever reason, until July you are kind of stuck because you are not on their schedule. We are already doing this actually than trying to just be held down to one county for example the police cars that we are going to buy on the agenda were piggy-backed off Utica because it was the best price. So it's already happening. I don't know how this changes anything.

So those are the groundbreaking ideas that we have on saving taxpayers money on the County level. On August 1st this plan gets submitted to the County Legislature for their comments and then it comes back to the panel for August 24th votes. We have to make a decision on what we stay in and what we don't participate in. There has to be a written explanation as to why we are not taking part, if we don't take part. Maybe on the 9th part of that work session more in depth conversation on this stuff.

I attended the meeting regarding the county meeting approving the UCC Budget with a 1% increase over last year. We had some concerns in some lines on that budget. I voiced concern about using impact money to cover those but that isn't going anywhere. So the UCC budget did get approved.

He gave an update on the financials.

I had a chance to get the budget memo out. My directions to the department heads on the budget is staying in at least, at the very minimum, the cap. I am actually looking to be below that this year. We will definitely stay under the cap again. I asked them to review their fees and that means reaching out to our sister communities to see what their fees are compared to our fees and see if we need to amend any fees in 2018. They will submit their budget to the comptroller on September 1st and we will adopt the budget on the 15th of November. I will file my budget with the Town Clerk on the 27th of September and then we will adopt the Preliminary Budget on the 18th of October, a public hearing on the 1st of November. Our budget forums will be held on Wednesday, September 6, 18 Glenridge Road and on September 14, Senior Center, Worden Road.

We will now take up Part 2 of the Environmental Assessment Form related to the Prime Mohawk LLC project which is a waterfront planned development at 45 Mohawk Avenue in Alplaus.

What you have in front of you is the staff's already completed copy. Not to influence you just so you have it. We will go through it question by question. We will look to Councilman Martin's expertise to help us. I also have Part 1 up here if we need to refer to that.

Councilman Martin – “I want to express thanks to the applicant for the completeness of the application. I want to express deep appreciation to our community resources here in terms of the Conservation Commission, Planning and Zoning Commission, the residents that provided us input. These are valuable resources for us as we take up this form and undertake a hard look as the lead agency in this application. This is a very robust and in depth unison taken here and we have a lot of resources available to us as we go through this.”

The Board discussed each question in Part 2 of the Full Environmental Assessment Form and reviewed Part 3 - Evaluation of the Magnitude and Importance of Project Impacts and Determination of Significance.

Supervisor Koetzle moved ahead with the agenda items.

Supervisor Koetzle – “I would like to move for an amendment to the resolution that would add a scoping session.”

Mike Cuevas, Attorney for the Town – “The amendment shall read as follows – “prior to the submission of a Draft Environmental Impact Statement, the applicant is directed to prepare a draft scope pursuant to section 617.8 of the regulations and to submit same to the Town Board by July 26, 2017 for review and revision at a Town Board Work Session on August 9, 2017 at 7:00 PM at the Glenville Municipality Center, 18 Glenridge Road, Glenville, NY as necessary”.

Moved by: Councilman Martin, Seconded by: Councilman Pytlovany
Yes – 5

Motion Carried

Supervisor Koetzle – “I would like to move a second amendment to eliminate Item #7. “Impact on Open Space and Recreation” and add a new item “Consistency with Community Plan” under the list of Full Environmental Assessment Form.

Moved by: Supervisor Koetzle, Seconded by: Councilman Martin

Discussion...

Councilman Hennel – “I still think the informal uses constitutes open space. I still think 11 – d is a yes.”

Supervisor Koetzle – “I think we still stick with our answer.”

Yes – Councilmen Martin, Pytlovany, Councilwoman Wierzbowski and
Supervisor Koetzle

No – Councilman Hennel

Motion Carried

Councilman Martin – “This is the resolution as amended that will come to a positive declaration on the Prime Mohawk LLC Riverfront Recreational Land Unit Development that we just finished reviewing. We have taken a hard look. I want to reference the fact that that hard look involved referencing the input for the residents during several public meetings. The input from our Glenville Environment Conservation Committee as well as our Planning and Zoning Commission. It was a thorough review and full participation.”

RESOLUTION NO. 170-2017

Moved by: Councilman Martin

Seconded by: Councilman Pytlovany

WHEREAS, Prime Mohawk, LLC submitted an application for a zoning map amendment for 45 Mohawk Avenue, Alplaus, to change the zoning of 84.74 acres of property from “Riverfront Recreation/Commercial,” “Suburban Residential,” “Research/Development/Technology,” and “Land Conservation” to “Waterfront Planned Development” for the purposes of constructing a mixed residential use development with both private and public recreation facilities; which application included an Environmental Assessment Form; and

WHEREAS, this rezoning application constitutes a “Type I Action” in accordance with 6 NYCRR Part 617 (State Environmental Quality Review Act {SEQRA}) because it involves the rezoning of more than 25 acres; and

WHEREAS, following a Coordinated Review process, the Glenville Town Board has assumed SEQRA Lead Agency for this action; and

WHEREAS, pursuant to the Town Zoning Code this matter was referred to the Planning and Zoning Commission for review and a recommendation with respect to the Town Board’s SEQRA determination and at a regularly scheduled meeting thereof on June 12, 2017, the Planning and Zoning Commission determined that the application result in significant potential adverse environmental impacts and recommended that the Town Board issue a positive declaration; and

WHEREAS, the application was also submitted to the Glenville Environmental Conservation Committee (GECC) for review and the GECC also recommended that the Town Board issue a positive declaration; and

WHEREAS, upon review of the documents submitted, the recommendations made, and the presentations of the applicant, the Town Board makes the following findings:

- Upon review of the Full Environmental Assessment Form for this application, potential significant adverse environmental impacts were identified in the following 12 subject areas, none of which were analyzed to any significant level within the zoning map amendment application, on the understanding by the applicant that they will assess potential environmental impacts as part of the DEIS:
 - 1.Impact on Land – some of the undeveloped land is wetlands; other areas may have been subject to contamination.
 - 2.Impact on Surface Water – the impact of any contamination is unknown; drainage, runoff and other potential issues need to be addressed.
 - 3.Impact on Groundwater – the impact of any contamination is unknown
 - 4.Impact on Flooding – the site borders the Mohawk River
 - 5.Impact on Aesthetic Resources – views of the river will be impacted
 - 6.Impact on Historic and Archeological Resources
 - 7.Impact on Transportation – additional housing units will raise traffic issues for the existing roads.
 - 8.Impact on Energy – a significant increase is anticipated.
 - 9.Impact on Noise, Odor, and Light – traffic and increased residential development will result in significant changes.
 - 10.Impact on Human Health
 - 11.Consistency with Community Character – the current location is mixed with industrial, riverfront uses and a nearby hamlet.
 - 12.Consistency with Community Plan
- Both the Glenville Environmental Conservation Commission and the Planning and Zoning Commission, upon their review of the rezoning application by Prime Mohawk, recommended that the Town Board issue a SEQRA “Positive Declaration,” and the preparation of a DEIS.

- The applicant has acknowledged that the proposed project may result in significant adverse environmental impacts, and has committed to the preparation of a DEIS.

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Glenville hereby determines, pursuant to Article 8 of the Environmental Conservation law and section 617.8 of the regulations implementing the State Environmental Quality Review Act that the Waterfront Planned Development District rezoning application by Prime Mohawk, LLC is likely to have a significant effect on the environment which may result in significant adverse environmental impacts and therefore requires the preparation of an Environmental Impact Statement by the applicant, at its sole cost and expense; and

IT IS FURTHER RESOLVED that prior to the submission of a Draft Environmental Impact Statement, the applicant is directed to prepare a draft scope pursuant to section 617.8 of the regulations and to submit same to the Town Board by July 26, 2017 for review and revision at a Town Board Work Session on August 9, 2017 at 7:00 PM at the Glenville Municipality Center, 18 Glenridge Road, Glenville, NY as necessary; and

IT IS STILL FURTHER RESOLVED that the Town Planner cause a SEQR Positive Declaration, Notice of Intent to Prepare Draft EIS, Determination of Significance form to be sent to the NYS Department of Environmental Conservation, the applicant and all involved agencies.

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

Motion Carried

RESOLUTION NO. 171-2017

Moved by: Councilwoman Wierzbowski
Seconded by: Councilman Hennel

WHEREAS, the Town Board of the Town of Glenville (herein called the "Town Board" and "Town," respectively), in the County of Schenectady, New York, has received a written petition, dated June 15, 2017, pursuant to section 191 of the Town Law, for the extension of Sewer District No.9 (herein called "District") whose petition was signed by the owners of at least one-half (1/2) of the assessed valuation of all taxable real property situate in the proposed District and including the signatures of resident owners of at least one-half (1/2) of the assessed valuation of such taxable real property situate in the proposed District owned by resident owners, all as shown upon the latest completed assessment roll of said Town, and a map, plan and report was previously prepared and filed by The Chazzan Companies in conjunction with the Baptist Health Nursing and Rehabilitation Center, Inc. for the extension of Sewer District No.9 of the Town of Glenville and the construction of a Sewer system therein describing the potential for future service connection to the main on Horstman Drive and is now on file in the office of the Town Clerk of the Town for public inspection; and

WHEREAS, pursuant to the Order duly adopted on June 21, 2017, the Town Board has determined to proceed with the establishment of the proposed extension to the District and adopted an Order reciting a description of the boundaries of the extension of the District in a manner sufficient to identify the lands included therein as in a deed of conveyance, the improvements proposed, the maximum amount proposed to be expended for the construction of the Sewer Improvement in the District, the proposed method of financing to be employed, the fact that a map, plan and report

describing the same are on file in the Town Clerk's office for public inspection and specifying July 19, 2017, at 7:00 PM, as the time when, and the Glenville Municipal Center, 18 Glenridge Road, Glenville, New York, in the Town, as the place where, the Town Board would meet to consider the establishment of an extension of the District and to hear all person interested on the subject thereof concerning the same, and for such other action on the part of the Town Board in relation thereto, as may be required by Law ; and

WHEREAS, certified copies of such Order were duly published and posted pursuant to the provisions of the Town Law; and

WHEREAS, the Town Board has given due consideration to the impact that the proposed extension to the District may have on the environment and on the basis of such consideration, the Town Board has found that no substantial adverse environmental impact will be caused by the extension of the District; and

WHEREAS, the Town Board and the Town have complied in every respect with all applicable federal, state and local laws and regulations regarding environmental matters, including compliance with the New York State Environmental Quality Review Act, comprising article 8 of the Environmental Conservation Law and, in connection therewith, a duly processed Negative Declaration and/or other applicable documentation has been filed in the office of the Town Clerk; and

WHEREAS, a Public Hearing in the matter was duly held by the Town Board on said July 19, 2017, commencing at or about 7:00 PM, at the Glenville Municipal Center, 18 Glenridge Road, Glenville, New York, at which all interested persons desiring to be heard were heard, including those in favor of, and those opposed to, the proposed extension to the District.

NOW, THEREFORE, upon the evidence adduced at such public hearing
be it

RESOLVED AND ORDERED by the Town Board of the Town of Glenville, in the County of Schenectady, New York as follows:

Section 1. It is hereby determined that:

- (a) The Notice of Public Hearing was published and posted as required by Law, and is otherwise sufficient;
- (b) All the property and property owners benefited included within the proposed extension to the District hereinabove referred to in the recitals hereof are benefited thereby;
- (c) All the property and property owners benefited are included within the limits of the proposed extension to the District; and
- (d) It is in the public interest to establish the extension to the District.

Section 2. The establishment of the proposed extension to the District is hereby approved, as hereinafter described, and said District shall be designated and known as Extension No. 17 to Sewer District 9 in the Town and shall include the property commonly known as 7 Horstman Drive (S/B/L # 30.10-1-14).

Section 3. The Sewer Improvement is hereby authorized to be constructed in the District and the amount proposed to be expended therefor, including the expenses incurred in connection with the establishment of the extension to the District, is to be fully borne by the developer; the plan of financing is to be fully and completely borne by the developer, at no cost to the Town or other users in the District.

Section 4. The permission of the State Comptroller is not required with respect to the extension of the District because the cost of the extension to the typical property is not above the Average Estimated Cost to the

Typical Properties for the establishment of similar types of districts as computed by the State Comptroller.

Section 5. The Town Clerk of the Town is hereby authorized and directed within ten days after the adoption of this Resolution and Order, to file certified copies thereof, in duplicate, in the office of the State Department of Audit and Control in Albany, New York, record same in the office of the Clerk of the County in which the Town is located.

Section 6. This Resolution and Order shall take effect immediately.

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

Noes: None

Absent: None

Abstention: None

Motion Carried

RESOLUTION NO. 172-2017

Moved by: Councilman Hennel

Seconded by: Councilwoman Wierzbowski

WHEREAS, in order to maintain a safe and efficient fleet of vehicles to meet the public safety needs of the Town of Glenville, the Chief of Police recommends the purchase of two marked police vehicles to serve as patrol vehicles to replace two vehicles no longer suitable for patrol purposes; and

WHEREAS, State General Municipal Law §103 (16) permits a municipality to make a purchase through the use of a contract let by the United States of America or any agency thereof, any state or any other political subdivision or district therein provided that such contract was let to the lowest responsible bidder; and

WHEREAS, the City of Utica Police Department, New York, recently completed a bidding process for the procurement of a 2017 Ford Police Interceptor Sedan for use as a marked police vehicle; and

WHEREAS, the Town of Glenville Chief of Police has determined that the Glenville Police Department will be best served by purchasing two 2017 Ford Police Interceptor Sedans utilizing the City of Utica bid award; and

WHEREAS, the Chief of Police and Town Comptroller recommend that the vehicle contract be awarded to Metro Ford, 3601 State Street, Schenectady, New York, at a price not to exceed that awarded under the City of Utica procurement; and

WHEREAS, the expense for said vehicles is provided for within the amended 2017 budget appropriations; and

WHEREAS, the Chief of Police advises that upon purchase of two new marked police vehicles the Police Department would re-purpose two existing patrol vehicles to unmarked uses, and would thus no longer have any use for two existing unmarked vehicles, a 2004 Chevrolet Impala and a 2005 Ford Crown Victoria; and

WHEREAS, the Highway Superintendent advises that the 2004 Chevrolet Impala and 2005 Ford Crown Victoria retain no meaningful value and should not be utilized elsewhere in the Town vehicle fleet;

NOW, THEREFORE, BE IT RESOLVED, that the Chief of Police is hereby authorized to purchase two 2017 Ford Police Interceptor Sedan marked police vehicles at a total cost not to exceed seventy four thousand dollars (\$74,000), including

all necessary equipment and vehicle outfitting, with the expense for said vehicles charged to account 02.00.3120.2000 as included in the 2017 amended budget; and

BE IT FURTHER RESOLVED, that upon purchase and delivery of the new vehicles the 2004 Chevrolet Impala, VIN ending in 90678, and the 2005 Ford Crown Victoria, VIN ending in 38819, are deemed surplus property and eligible for disposal in the most cost-effective manner as determined by the Town Comptroller.

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

Motion Carried

RESOLUTION NO. 173-2017

Moved by: Councilman Hennel
Seconded by: Councilwoman Wierzbowski

BE IT RESOLVED that the **Monthly Departmental Reports** for June, 2017 as received from the following:

Economic Development & Planning Department
Highway/DPW
Justice Department
Receiver of Taxes – May & June
Town Clerk's Office

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

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

Motion Carried

New Business

Councilman Martin – “I just want to mention I think that Jason has wrapped up his sales tax analysis. I think he has done some nice work, there is a lot of exciting information in there and I think we have a lot to talk about.

Supervisor Koetzle asked for a motion to adjourn; motion to adjourn; Moved by Councilman Hennel; Seconded by Councilwoman Wierzbowski, everyone being in favor the meeting was adjourned at 9:00 PM.

ATTEST:

Linda C. Neals
Town Clerk