

**Meeting of the Town Board
Town of Glenville
May 4, 2022
At The Glenville Municipal Center
18 Glenridge Road, Glenville, NY**

Supervisor Koetzle Calls the meeting to order at 7:00 PM

Invocation

Pledge of Allegiance

Roll Call: Town Clerk

Present: Supervisor Koetzle, Councilwoman Wierzbowski, Councilmen Godlewski, Martin and Ramotar

Also present: Earl T. Redding- Attorney for the Town, Stephen Janik- Police Chief, Thomas Coppola- Highway Superintendent, Paul Davenport- Glenville Town Justice, Vicki Hillis- Director of Human Resources.

Town Council Reports

Councilman Godlewski: I attended the GECC meeting, they talked about ongoing projects in the Town, projects that potentially have an environmental component and talked about things the committee will work on going forward. They also discussed the Solar Moratorium and putting together a code revision committee. I also attended clean up in Collins Park this is my 4th or 5th time, there is always a lot of stuff so I would just ask that people be mindful and try to pick up after themselves as Scotia-Glenville has beautiful parks. I would like to congratulate Sgt. Kaiser on her promotion.

Councilwoman Wierzbowski: I would like to once again remind the residents that open burning within the Town of Glenville is banned until May 14th. Reminded our residents about Love You Park Day. I would also like to offer me most sincere congratulations to Sergeant Kaiser.

Councilman Martin: I attended a meeting of the Glenville Local Development Corporation, one of the things I've been principally working on is the Sub Recipient agreement. Where they're going to be administering our microenterprise program that was funded with the state grant. This is a great situation for both parties involved. Certainly, the town can use the administrative help. This will be paid for out of the grant, and it uses its used to offset the DLDC's costs and they can certainly use this infusion of funding.

Most important aspect of the program is this is a grant program that provides up to 90% grant to Micro Enterprises, which are businesses of six or fewer employees in the town, this will really help our businesses.

I welcome those comments from the GECC regarding solar revisions.

We have our first meeting coming up May 17th for the Code Revision Committee.

I believe we will have a good set of revisions coming from that.

Councilman Ramotar: I met with Superintendent Coppola regarding what's going on right now in the Highway Department. They are converting snowplows to dump trucks for use now,

that is lengthy process and they often find the trucks need replaced. They are working on ditches, and storm clean up. Water Department has been working on water main breaks and hydrant flushing. They are doing a good job.

Supervisor's Appointments: Councilman Ramotar will be liaison and chair of the Small Business Task force. Councilman Godlewski will be working with HR Vicki Hillis and our Comptroller Jason Cuthbert and our legal team to update our Personnel Manual.

Supervisor Koetzle: Calls for Public Hearing

This is a State Law change and so we have to revise ours as well.

Public Hearing to hear all persons interested in the proposed Local Law amending chapter 101, Building Construction and Fire Prevention, of the Code of the Town of Glenville. Open 7:11 PM Closed 7:12 PM. No one spoke.

Privilege of the Floor: Open 7:12 PM, Closed 7:12 PM. No one spoke.

Supervisor's Comments: This is a big night and congratulations to Meredith Kaiser who will be sworn in as our first female Sergeant in the Glenville Police Department. Just want to mention a few dates: Love Your Parks Day is Saturday at 9:00, Burnt Hills-Ballston Lake Opening Day for baseball season at 10:00. May 25th is the Scotia Glenville Parade; June 9th is the Flag Day Parade in Burnt Hills. Last Thursday I was honored to throw the first pitch as Scotia Glenville Softball that opened their season.

I just want to take a moment to recognize one of our residents, Mary Herrick turned 100 today as you may have seen in the Gazette today.

I took a few minutes to visit with her before she went to dinner with her family, she is so spry and if she told me she was 70 I would have believed her. We have declared today, Mary Herrick Day throughout the Town of Glenville so it is her day.

Here some quick highlights. She moved here 1946. Prior to that she was a high school teacher. In Pennsylvania, when World War Two started. She built her house here in Alplaus in 1949 with her husband where they raised three children. Her husband has passed, unfortunately, but they are the first occupants of the house only occupants so far there's. A long list of things she did here with the PTA, was involved with the Schenectady Light Opera and so many things throughout the Town of Glenville. She 6 great great grandchildren, which I think she's probably most proud of, I'm sorry 2 grandchildren, 7 great grandchildren and six great great grandchildren, so we wish her. I'll just take a moment and let's give her applause.

Swearing in of Sergeant Meredith Kaiser

Chief Janik: I've had the pleasure of being her immediate supervisor, also supervising her, as Lieutenant here with the Police Department and now as Chief. The one thing I can say about Meredith that I truly believe is that when you have been around for a long time, you start to see and you really know and you get a feeling of those who are loyal to you in the administration and also to the Town of Glenville. I know for a fact that Meredith is one of the most loyal employees that works for the Police Department. I appreciate that. Meredith New York State Certified Accident Investigator, she's a Certified Field Training Officer. She's also, one of the best things I can say about Meredith, she's a Certified Domestic Animal Cruelty Investigator. and if anybody remembers the old slipper foot case up in western Glenville with all the fanfare that we got on that, Meredith was the lead investigator on that. She's also an active member in the Women of Law Enforcement. She has mainly been on the afternoon shift here with the

Police Department until just recently moving to days for their most of the portion of her career and very important, she now becomes Glenville Police Department first female Sergeant in the history of the department. I am very happy to have her be a supervisor here for the department. She's joined tonight by her father Leon Kaiser, stepmom, Susan Kaiser, her mom, MaryAnn Dane, her sister, Jennifer and her family and her boyfriend DJ Gardner.

Meredith gets sworn in and speaks briefly.

I'd like to share with a story about a person who most shaped me into the police officer I am today.

My father Leon stared few things with me that have been his philosophies on how to live life, write everything in moderation, and pay me now or pay me later. The most valuable saying that I've carried with me throughout my career as a police officer, something that my dad learned while he served as a Watervliet Policeman in the mid-1960s. His police chief, Charlie McAndrews, would tell him Leon, we are here to help the people. What he meant by this was we are here to serve and protect. His focus was not on his own career path, but his purpose as a policeman. When I told my father that I was going to be a police officer, the first thing he said to me was don't they have a height requirement? The next thing he told me was the community police are the real police. Then he taught me the words of Charlie McAndrews, we are here to help the people. There are many similarities in the social and political circumstances between the mid-1960s since today. There were race riots, great political divide over the handling of Vietnam. Today we have similar racial divides and the only divide over politics is how we handle foreign affairs and our decisions on how to handle the pandemic. Still, the most important values I take with me that my father carried as a policeman is that I'm here to make our community safe and to treat people with respect.

I'd like to thank Chief Janik for trusting me and giving me the opportunity to help us with helps use this concept moving forward with the Glenville Police Department. We're fortunate to have a Supervisor and Town Board that I believe share similar goals.

I'd like to thank my family, my friends and community members that have supported me on this path. I especially like to thank Lieutenant Weiss for sharing with me his many years of guidance from being my field training officer and 14 years later, now my direct supervisor. I am so thankful for the support of my boyfriend is AJ Gardner. Who has been the strength behind me through many challenges that have come along? We have so many new members in our department, I'm so excited to be given the opportunity to lead them on the law enforcement career paths. Thank you.

MS4 Annual Report- Commission of Public Works/Highway Superintendent Thomas Coppola.

Good evening, Board;

This is the MS4 report, I do this every year. It is mandated by the State of New York and it is a report regarding the protection of waterways for the Town. You can get more information on the Towns website. There is information at the library and Senior Center, so if you want more information on this you can go down read and educate yourself.

So, this past year we actually improved this program a little bit. We've reached out to outside communities we've educated ourselves a little bit further on how we can make the public more aware and how we can be more efficient at what we do. We've taken action to train more of our employees in this. Help in the Building Department, they followed my supervision and now they have awareness on what to look for, what to react to, how to handle this discharge if they see it. If they have a septic tank that is leaking in a field that they notice, those lines have been taken, those steps have been taken to really help these guys understand and protect the

town waterways more efficiently. We also had the building department take restraints, not able to make out what he said here. They help with our script reviews which are all new building projects and things like that come through stormwater management plans. They help us review and just don't go out to do inspections. We have these now they go right into the database. So, we can go back and look at all the stuff in the database and really keep track of what we are doing.

The Town of Glenville has 69 outfalls worth of jurisdiction, these are stormwater outfalls that go into waterways and then go into the rivers and that is what this program is all about to keep those outfalls clean. Maintenance, our catch basins go into the stormwater management practices that we have, then go into these waterways, which then go into the rivers. So, it's under our jurisdiction to keep that as clean as we can in the best management practices to keep them protected.

We clean these outfalls; we clean our catch basins on annual basis. We managed to do about 1/3 of them every year. We have taken to date this year sweeping, so we have sweeping parking lots and parks do things like that to be proactive in this. We've swept about eight acres of our parking lots throughout this year. We've done 186 miles of road. We've cleaned about 40 miles of ditches. Catch basin inspections and cleaning of 129. And we have now reached about 50% training for employees in our building department. We've also reached out to park planning and we've also reached out to actually people who are living in our community. To give them better awareness. These are people that we have in our associations that we deal with all the time. You know the neighborhood association, Alplaus places like, we try to educate them on the same thing.

This is in a nutshell. If you guys would like more information, like I say you can go on the web page. You can go to the areas we have a library and Town Hall to read up on this. I got to give a special thanks to Melissa, Arnie, Dana and Jim in the Building Department. We give them a special thanks because they really worked hard in this report and they've helped us out immensely in the past couple years to make this program more efficient for the town.

That is the conclusion.

Thank you very much.

Supervisor Koetzle

Anybody have any questions for Highway Superintendent Coppola?

Seeing none, thank you.

Appreciate it very much.

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

Sponsored by: James Martin, Councilman

Submitted by: Melissa Cherubino, Community Development Director

RESOLUTION NO. 119-2022

Moved by: Councilman Martin

Seconded by: Councilman Ramotar

WHEREAS, a Member of the Town Board of the Town of Glenville is introducing a Local Law to amend Chapter 101, regarding the Building Construction

and Fire Prevention, with accompanying amendments to the Code of the Town of Glenville (a copy of which is attached hereto); and

WHEREAS, Executive Law § 381(2) provides that local governments (cities, towns, and villages) are required to administer and enforce the Uniform Code;

WHEREAS, 19 NYCRR Part 1203 which contains the “minimum standards” established by the Department of State pursuant to Executive Law § 381(1), requires each local government that administers and enforces the Uniform Code and Energy Code to establish a code enforcement program and to include certain features within that program; and

WHEREAS, the Uniform Code and Energy Code were amended, effective May 12, 2020, and based on the new versions of the Uniform Code and Energy Code, corresponding changes were necessary to 19 NYCRR Part 1203 to coordinate these rules and regulations for administration and enforcement of the Uniform Code and Energy Code; and

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

WHEREAS, the proposed Local Law clarifies the existing regulations regarding energy and uniform code, and therefore 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;

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 No. 4 on Wednesday, May 4, 2022 at 7:00 PM, at which time and place were heard all persons interested in the local law enacting a moratorium on Chapter 101, regarding the Building Construction and Fire Prevention for the Code of the Town of Glenville,

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, May 4, 2022 at 7:00 P.M., that the proposed Local Law No. 4 Amending Chapter 101, regarding the Building Construction and Fire Prevention, of the Code of the Town of Glenville be and hereby is adopted; and

BE IT FURTHER RESOLVED, that Local Law No. 4 of 2022 shall take effect

twenty (20) days after filing with the Secretary of State of the State of New York.

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

Noes: None

Absents: None

Abstentions: None

Motion Carried

Town Board Decision on May 4, 2022

LOCAL LAW UPDATING TOWN OF GLENVILLE'S CODE ENFORCEMENT PROGRAM

Local Law # 4 of 2022.

Be it enacted by the Town Board of the Town of Glenville, in the County of Schenectady, as follows:

§101-1. PURPOSE AND INTENT

This chapter provides for the administration and enforcement of the New York State Uniform Fire Prevention and Building Code (the Uniform Code) and the State Energy Conservation Construction Code (the Energy Code) in this Town. This local law is adopted pursuant to section 10 of the Municipal Home Rule Law. Except as otherwise provided in the Uniform Code, the Energy Code other state law, or other section of this local law, all buildings, structures, and premises, regardless of use or occupancy, are subject to the provisions this local law.

§101-2. DEFINITIONS

In this local law, the following terms shall have the meanings shown in this section:

“Assembly Area” shall mean an area in any building, or in any portion of a building, that is primarily used or intended to be used for gathering fifty or more persons for uses including, but not limited to, amusement, athletic, entertainment, social, or other recreational functions; patriotic, political, civic, educational, or religious functions; food or drink consumption; awaiting transportation; or similar purposes.

“Building Permit” shall mean a building permit, construction permit, demolition permit, or other permit that authorizes the performance of work. The term “Building Permit” shall also include a Building Permit which is renewed, amended, or extended pursuant to any provision of this local law.

“Certificate of Compliance” shall mean a document issued by the Town stating that work was done in compliance with approved construction documents and the Codes.

“Certificate of Occupancy” shall mean a document issued by the Town certifying that the building or structure, or portion thereof, complies with the approved construction documents that have been submitted to, and approved by the Town, and indicating that the building or structure, or portion thereof, is in a condition suitable for occupancy.

“Code Enforcement Officer” shall mean the Code Enforcement Officer appointed pursuant to subdivision (b) of section 3 of this local law.

“Code Enforcement Personnel” shall include the Code Enforcement Officer and all Inspectors.

“Codes” shall mean the Uniform Code and Energy Code.

“Energy Code” shall mean the New York State Energy Conservation Construction Code adopted pursuant to Article 11 of the Energy Law.

“FCNYS” shall mean the 2020 Fire Code of New York State as currently incorporated by reference in 19 NYCRR Part 1225.

“Fire Safety and Property Maintenance Inspection” shall mean an inspection performed to determine compliance with the applicable provisions of 19 NYCRR Part 1225 and the publications incorporated therein by reference and the applicable provisions of 19 NYCRR Part 1226 and the publications incorporated therein by reference.

“Hazardous Production Materials” shall mean a solid, liquid, or gas associated with semiconductor manufacturing that has a degree-of-hazard rating in health, flammability, or instability of Class 3 or 4, as ranked by NFPA 704 (Standard Systems for Identification of the Hazards of Materials for Emergency Response), and which is used directly in research, laboratory, or production processes which have, as their end product, materials that are not hazardous.

“Inspector” shall mean an inspector appointed pursuant to subdivision (d) of section 3 of this local law.

“Mobile Food Preparation Vehicles” shall mean vehicles that contain cooking equipment that produces smoke or grease-laden vapors for the purpose of preparing and serving food to the public. Vehicles intended for private recreation shall not be considered mobile food preparation vehicles.

“Operating Permit” shall mean a permit issued pursuant to section 10 of this local law. The term “Operating Permit” shall also include an Operating Permit which is renewed, amended, or extended pursuant to any provision of this local law.

“Order to Remedy” shall mean an order issued by the Code Enforcement Officer pursuant to subdivision (a) of section 17 of this local law.

“Permit Holder” shall mean the Person to whom a Building Permit has been issued.

“Person” shall include an individual, corporation, limited liability company, partnership, limited partnership, business trust, estate, trust, association, or any other legal or commercial entity of any kind or description.

“PMCNYS” shall mean the 2020 Property Maintenance Code of New York State as currently incorporated by reference in 19 NYCRR Part 1226.

“RCNYS” shall mean the 2020 Residential Code of New York State as currently incorporated by reference in 19 NYCRR Part 1220.

“Repair” shall mean the reconstruction, replacement, or renewal of any part of an existing building for the purpose of its maintenance or to correct damage.

“Stop Work Order” shall mean an order issued pursuant to section 6 of this local law.

“Sugarhouse” shall mean a building used, in whole or in part, for the collection, storage, or processing of maple sap into maple syrup and/or maple sugar.

“Temporary Certificate of Occupancy” shall mean a certificate issued pursuant to subdivision (d) of section 7 of this local law.

“Uniform Code” shall mean the New York State Uniform Fire Prevention and Building Code, Subchapter A of Chapter XXXIII of Title 19 of the NYCRR, adopted pursuant to Article 18 of the Executive Law.

§101-3. CODE ENFORCEMENT OFFICER AND INSPECTORS

(a) The Office of Code Enforcement Officer is hereby created. The Code Enforcement Officer shall administer and enforce all the provisions of the Uniform Code, the Energy Code, and this local law. The Code Enforcement Officer shall have the following powers and duties:

- (1) to receive, review, and approve or disapprove applications for Building Permits, Certificates of Occupancy, Certificates of Compliance, Temporary Certificates of Occupancy, and Operating Permits, and the plans, specifications, and construction documents submitted with such applications;
- (2) upon approval of such applications, to issue Building Permits, Certificates of Occupancy, Certificates of Compliance, Temporary Certificates of Occupancy, and Operating Permits, and to include in terms and conditions as the Code Enforcement Officer may determine to be appropriate Building Permits, Certificates of Occupancy, Certificates of Compliance, Temporary Certificates of Occupancy, and Operating Permits;
- (3) to conduct construction inspections; inspections to be made prior to the issuance of Certificates of Occupancy, Certificates of Compliance, Temporary Certificates of Occupancy, and Operating Permits; fire safety and property maintenance inspections; inspections incidental to the investigation of complaints; and all other inspections required or permitted under any provision of this local law;
- (4) to issue Stop Work Orders;
- (5) to review and investigate complaints;
- (6) to issue orders pursuant to subdivision (a) of section 17 (Violations) of this local law;
- (7) to maintain records;
- (8) to collect fees as set by the Town Board of this Town;
- (9) to pursue administrative enforcement actions and proceedings;
- (10) in consultation with the Town’s attorney, to pursue such legal actions and proceedings as may be necessary to enforce the Uniform Code, the Energy Code, and this local law, or to abate or correct conditions not in compliance with the Uniform Code, the Energy Code, or this local law; and
- (11) to exercise all other powers and fulfill all other duties conferred upon the Code Enforcement Officer by this local law.

(b) The Code Enforcement Officer shall be appointed by Town Board. The Code Enforcement Officer shall possess background experience related to building construction or fire prevention and shall, within the time prescribed by law, obtain such basic training, in-service training, advanced in-service training, and other training as the State of New York shall require for code enforcement personnel, and the Code Enforcement Officer shall obtain certification from the Department of State pursuant to the Executive Law and the regulations promulgated thereunder.

(c) In the event that the Code Enforcement Officer is unable to serve as such for any reason, another individual shall be appointed by Town Board to serve as Acting Code Enforcement

Officer. The Acting Code Enforcement Officer shall, during the term of their appointment, exercise all powers and fulfill all duties conferred upon the Code Enforcement Officer by this local law.

(d) One or more Inspectors may be appointed by Town Board to act under the supervision and direction of the Code Enforcement Officer and to assist the Code Enforcement Officer in the exercise of the powers and fulfillment of the duties conferred upon the Code Enforcement Officer by this local law. Each Inspector shall, within the time prescribed by law, obtain such basic training, in-service training, advanced in-service training, and other training as the State of New York shall require for code enforcement personnel, and each Inspector shall obtain certification from the Department of State pursuant to the Executive Law and the regulations promulgated thereunder.

(e) The compensation for the Code Enforcement Officer and Inspectors shall be fixed from time to time by the Town Board.

§101-4. BUILDING PERMITS.

(a) Building Permits Required. Except as otherwise provided in subdivision

(b) of this section, a Building Permit shall be required for any work which must conform to the Uniform Code and/or the Energy Code, including, but not limited to, the construction, enlargement, alteration, improvement, removal, relocation, or demolition of any building or structure or any portion thereof, and the installation of a solid fuel burning heating appliance, chimney, or flue in any dwelling unit. No Person shall commence any work for which a Building Permit is required without first having obtained a Building Permit from the Town.

(b) Exemptions. No Building Permit shall be required for work in any of the following categories: [include the paragraph[s] below that describe the category[ies] of work to be exempted from the building permit requirement – note that no category of work other than those listed below can be exempted.]

- 1) Installation of swings and other playground equipment associated with a one- or two-family dwelling or multiple single-family dwellings (townhouses);
- 2) Installation of swimming pools associated with a one- or two-family dwelling or multiple single-family dwellings (townhouses) where such pools are designed for a water depth of less than 24 inches and are installed entirely above ground;
- 3) construction or installation of one-story detached structures associated with one- or two-family dwellings or multiple single-family dwellings (townhouses), which are used for tool and storage sheds, playhouses, or similar uses, provided the gross floor area does not exceed 144 square feet;
- 4) construction of temporary sets and scenery associated with motion picture, television, and theater uses;
- 5) installation of window awnings supported by an exterior wall of a one- or two-family dwelling or multiple single-family dwellings (townhouses);
- 6) installation of partitions or movable cases less than 5'-9" in height;
- 7) painting, wallpapering, tiling, carpeting, or other similar finish work;

- 8) installation of listed portable electrical, plumbing, heating, ventilation or cooling equipment or appliances;
- 9) replacement of any equipment provided the replacement does not alter the equipment's listing or render it inconsistent with the equipment's original specifications; or
- 10) repairs, provided that the work does not have an impact on fire and life safety, such as
 - a. any part of the structural system;
 - b. the required means of egress; or
 - c. the fire protection system or the removal from service of any part of the fire protection system for any period of time.

(c) Exemption not deemed authorization to perform non-compliant work. The exemption from the requirement to obtain a building permit for work in any category set forth in subdivision (b) of this section shall not be deemed an authorization for work to be performed in violation of the Uniform Code or the Energy Code.

(d) Applications for Building Permits. Applications for a Building Permit shall be made in writing on a form provided by or otherwise acceptable to the Code Enforcement Officer. The application shall be signed by the owner of the property where the work is to be performed or an authorized agent of the owner. The application shall include such information as the Code Enforcement Officer deems sufficient to permit a determination by the Code Enforcement Officer that the intended work complies with all applicable requirements of the Uniform Code and the Energy Code. The application shall include or be accompanied by the following information and documentation:

- (1) a description of the location, nature, extent, and scope of the proposed work;
- (2) the tax map number and the street address of any affected building or structure;
- (3) the occupancy classification of any affected building or structure;
- (4) where applicable, a statement of special inspections prepared in accordance with the provisions of the Uniform Code; and
- (5) at least 2 sets of construction documents (drawings and/or specifications) which
 - a. describe the location, nature, extent, and scope of the proposed work;
 - b. show that the proposed work will conform to the applicable provisions of the Codes;
 - c. show the location, construction, size, and character of all portions of the means of egress;
 - d. show a representation of the building thermal envelope;
 - e. show structural information including but not limited to braced wall designs, the size, section, and relative locations of structural members, design loads, and other pertinent structural information;
 - f. show the proposed structural, electrical, plumbing, mechanical, fire-protection, and other service systems of the building;
 - g. include a written statement indicating compliance with the Energy Code;

- h. include a site plan, drawn to scale and drawn in accordance with an accurate boundary survey, showing the size and location of new construction and existing structures and appurtenances on the site, distances from lot lines, the established street grades and the proposed finished grades, and, as applicable, flood hazard areas, floodways, and design flood elevations; and
 - i. evidence that the documents were prepared by a licensed and registered architect in accordance with Article 147 of the New York State Education Law or a licensed and registered professional engineer in accordance with Article 145 of the New York State Education Law and practice guidelines, including but not limited to the design professional's seal which clearly and legibly shows both the design professional's name and license number and is signed by the design professional whose name appears on the seal in such a manner that neither the name nor the number is obscured in any way, the design professional's registration expiration date, the design professional's firm name (if not a sole practitioner), and, if the documents are submitted by a professional engineering firm and not a sole practitioner professional engineer, the firm's Certificate of Authorization number.

(e) Construction documents. Construction documents will not be accepted as part of an application for a Building Permit unless they satisfy the requirements set forth in paragraph (5) of subdivision (d) of this section. Construction documents which are accepted as part of the application for a Building Permit shall be marked as accepted by the Code Enforcement Officer in writing or by stamp, or in the case of electronic media, an electronic marking. One set of the accepted construction documents shall be retained by the Code Enforcement Officer, and one set of the accepted construction documents shall be returned to the applicant to be kept at the work site so as to be available for use by the Code Enforcement Personnel. However, the return of a set of accepted construction documents to the applicant shall not be construed as authorization to commence work, nor as an indication that a Building Permit will be issued. Work shall not be commenced until and unless a Building Permit is issued.

(f) Issuance of Building Permits. An application for a Building Permit shall be examined to ascertain whether the proposed work is in compliance with the applicable requirements of the Uniform Code and Energy Code. The Code Enforcement Officer shall issue a Building Permit if the proposed work is in compliance with the applicable requirements of the Uniform Code and Energy Code.

(g) Building Permits to be displayed. Building permits shall be visibly displayed at the work site and shall remain visible until the authorized work has been completed.

(h) Work to be in accordance with construction documents. All work shall be performed in accordance with the construction documents which were submitted with and accepted as part of the application for the Building Permit. The Building Permit shall contain such a directive. The Permit Holder shall immediately notify the Code Enforcement Officer of any change occurring during the course of the work. The Building Permit shall contain such a directive. If the Code Enforcement Officer determines that such change warrants a new or amended Building Permit, such change shall not be made until and unless a new or amended Building Permit reflecting

such change is issued.

(i) Time limits. Building Permits shall become invalid unless the authorized work is commenced within 6 months following the date of issuance. Building Permits shall expire 12 months after the date of issuance. A Building Permit which has become invalid or which has expired pursuant to this subdivision may be renewed upon application by the Permit Holder, payment of the applicable fee, and approval of the application by the Code Enforcement Officer.

(j) Revocation or suspension of Building Permits. If the Code Enforcement Officer determines that a Building Permit was issued in error because of incorrect, inaccurate, or incomplete information, or that the work for which a Building Permit was issued violates the Uniform Code or the Energy Code, the Code Enforcement Officer shall revoke the Building Permit or suspend the Building Permit until such time as the Permit Holder demonstrates that (1) all work then completed is in compliance with all applicable provisions of the Uniform Code and the Energy Code and (2) all work then proposed to be performed shall be in compliance with all applicable provisions of the Uniform Code and the Energy Code.

(k) Fee. The fee specified in or determined in accordance with the provisions set forth in **§101-18 (Fees)** of this local law must be paid at the time of submission of an application for a Building Permit, for an amended Building Permit, or for renewal of a Building Permit.

§101-5. CONSTRUCTION INSPECTIONS.

(a) Work to remain accessible and exposed. Work shall remain accessible and exposed until inspected and accepted by the Code Enforcement Officer or by an Inspector authorized by the Code Enforcement Officer. The Permit Holder shall notify the Code Enforcement Officer when any element of work described in subdivision(b) of this section is ready for inspection.

(b) Elements of work to be inspected. The following elements of the construction process shall be inspected, where applicable:

- (1) work site prior to the issuance of a Building Permit;
- (2) footing and foundation;
- (3) preparation for concrete slab;
- (4) framing;
- (5) structural, electrical, plumbing, mechanical, fire-protection, and other similar service systems of the building;
- (6) fire resistant construction;
- (7) fire resistant penetrations;
- (8) solid fuel burning heating appliances, chimneys, flues, or gas vents;
- (9) inspections required to demonstrate Energy Code compliance, including but not limited to insulation, fenestration, air leakage, system controls, mechanical equipment size, and, where required, minimum fan efficiencies, programmable thermostats, energy recovery, whole-house ventilation, plumbing heat traps, and high-performance lighting and controls;
- (10) installation, connection, and assembly of factor manufactured buildings and manufactured homes; and
- (11) a final inspection after all work authorized by the Building Permit has been completed.

(c) Remote inspections. At the discretion of the Code Enforcement Officer or Inspector

authorized to perform construction inspections, a remote inspection may be performed in lieu of an in-person inspection when, in the opinion of the Code Enforcement Officer or such authorized Inspector, the remote inspection can be performed to the same level and quality as an in-person inspection and the remote inspection shows to the satisfaction of the Code Enforcement Officer or by such authorized Inspector that the elements of the construction process conform with the applicable requirements of the Uniform Code and Energy Code. Should a remote inspection not afford the Code Enforcement Officer or such authorized Inspector sufficient information to make a determination, an in-person inspection shall be performed.

(d) Inspection results. After inspection, the work or a portion thereof shall be noted as satisfactory as completed, or the Permit Holder shall be notified as to the manner in which the work fails to comply with the Uniform Code or Energy Code, including a citation to the specific code provision or provisions that have not been met. Work not in compliance with any applicable provision of the Uniform Code or Energy Code shall remain exposed until such work shall have been brought into compliance with all applicable provisions of the Uniform Code and the Energy Code, reinspected, and found satisfactory as completed.

(e) Fee. The fee specified in or determined in accordance with the provisions set forth in **§101-18 (Fees)** of this local law must be paid prior to or at the time of each inspection performed pursuant to this section.

§101-6. STOP WORK ORDERS.

(a) Authority to issue. The Code Enforcement Officer is authorized to issue Stop Work Orders pursuant to this section. The Code Enforcement Officer shall issue a Stop Work Order to halt:

- (1) any work that is determined by the Code Enforcement Officer to be contrary to any applicable provision of the Uniform Code or Energy Code, without regard to whether such work is or is not work for which a Building Permit is required, and without regard to whether a Building Permit has or has not been issued for such work, or
- (2) any work that is being conducted in a dangerous or unsafe manner in the opinion of the Code Enforcement Officer, without regard to whether such work is or is not work for which a Building Permit is required, and without regard to whether a Building Permit has or has not been issued for such work, or
- (3) any work for which a Building Permit is required which is being performed without the required Building Permit, or under a Building Permit that has become invalid, has expired, or has been suspended or revoked.

(b) Content of Stop Work Orders. Stop Work Orders shall (1) be in writing, (2) be dated and signed by the Code Enforcement Officer, (3) state the reason or reasons for issuance, and (4) if applicable, state the conditions which must be satisfied before work will be permitted to resume.

(c) Service of Stop Work Orders. The Code Enforcement Officer shall cause the Stop Work Order, or a copy thereof, to be served on the owner of the affected property (and, if the owner is not the Permit Holder, on the Permit Holder) personally or by registered mail or certified mail. The Code Enforcement Officer shall be permitted, but not required, to cause the Stop Work Order, or a copy thereof, to be served on any builder, architect, tenant, contractor, subcontractor, construction superintendent, or their agents, or any other Person taking part or assisting in work affected by the Stop Work Order, personally or by registered mail or certified

mail; provided, however, that failure to serve any Person mentioned in this sentence shall not affect the efficacy of the Stop Work Order.

(d) Effect of Stop Work Order. Upon the issuance of a Stop Work Order, the owner of the affected property, the Permit Holder, and any other Person performing, taking part in, or assisting in the work shall immediately cease all work which is the subject of the Stop Work Order, other than work expressly authorized by the Code Enforcement Officer to correct the reason for issuing the Stop Work Order.

(e) Remedy not exclusive. The issuance of a Stop Work Order shall not be the exclusive remedy available to address any event described in subdivision (a) of this section, and the authority to issue a Stop Work Order shall be in addition to, and not in substitution for or limitation of, the right and authority to pursue any other remedy or impose any other penalty under section 17 (Violations) of this local law or under any other applicable local law or State law. Any such other remedy or penalty may be pursued at any time, whether prior to, at the time of, or after the issuance of a Stop Work Order.

§101-7. CERTIFICATES OF OCCUPANCY AND CERTIFICATES OF COMPLIANCE

(a) Certificates of Occupancy and Certificates of Compliance required. A Certificate of Occupancy or Certificate of Compliance shall be required for any work which is the subject of a Building Permit and for all structures, buildings, or portions thereof, which are converted from one use or occupancy classification or subclassification to another. Permission to use or occupy a building or structure, or portion thereof, for which a Building Permit was previously issued shall be granted only by issuance of a Certificate of Occupancy or Certificate of Compliance.

(b) Issuance of Certificates of Occupancy and Certificates of Compliance. The Code Enforcement Officer shall issue a Certificate of Occupancy or Certificate of Compliance if the work which was the subject of the Building Permit was completed in accordance with all applicable provisions of the Uniform Code and Energy Code and, if applicable, that the structure, building or portion thereof that was converted from one use or occupancy classification or subclassification to another complies with all applicable provisions of the Uniform Code and Energy Code. The Code Enforcement Officer or an Inspector authorized by the Code Enforcement Officer shall inspect the building, structure, or work prior to the issuance of a Certificate of Occupancy or Certificate of Compliance. In addition, where applicable, the following documents, prepared in accordance with the provisions of the Uniform Code by such person or persons as may be designated by or otherwise acceptable to the Code Enforcement Officer, at the expense of the applicant for the Certificate of Occupancy or Certificate of Compliance, shall be provided to the Code Enforcement Officer prior to the issuance of the Certificate of Occupancy or Certificate of Compliance:

- (1) a written statement of structural observations and/or a final report of special inspections,
- (2) flood hazard certifications,
- (3) a written statement of the results of tests performed to show compliance with the Energy Code, and
- (4) where applicable, the affixation of the appropriate seals, insignias, and manufacturer's data plates as required for factory manufactured buildings and/or manufactured homes.

(c) Contents of Certificates of Occupancy and Certificates of Compliance. A Certificate of Occupancy or Certificate of Compliance shall contain the following information:

- (1) the Building Permit number, if any;
- (2) the date of issuance of the Building Permit, if any;
- (3) the name (if any), address and tax map number of the property;
- (4) if the Certificate of Occupancy or Certificate of Compliance is not applicable to an entire structure, a description of that portion of the structure for which the Certificate of Occupancy or Certificate of Compliance is issued;
- (5) the use and occupancy classification of the structure;
- (6) the type of construction of the structure;
- (7) the occupant load of the assembly areas in the structure, if any;
- (8) any special conditions imposed in connection with the issuance of the Building Permit; and
- (9) the signature of the Code Enforcement Officer issuing the Certificate of Occupancy or Certificate of Compliance and the date of issuance.

(d) Temporary Certificate of Occupancy. The Code Enforcement Officer shall be permitted to issue a Temporary Certificate of Occupancy allowing the temporary occupancy of a building or structure, or a portion thereof, prior to completion of the work which is the subject of a Building Permit. However, in no event shall the Code Enforcement Officer issue a Temporary Certificate of Occupancy unless the Code Enforcement Officer determines (1) that the building or structure, or the portion thereof covered by the Temporary Certificate of Occupancy, may be occupied safely, (2) that any required fire and life safety components, such as fire protection equipment and fire, smoke, carbon monoxide, and heat detectors and alarms are installed and operational, and (3) that all required means of egress from the structure have been provided. The Code Enforcement Officer may include in a Temporary Certificate of Occupancy such terms and conditions as he or she deems necessary or appropriate to ensure the health and safety of the persons occupying and using the building or structure and/or performing further construction work in the building or structure. A Temporary Certificate of Occupancy shall be effective for a period of time, not to exceed 6 months, which shall be determined by the Code Enforcement Officer and specified in the Temporary Certificate of Occupancy. During the specified period of effectiveness of the Temporary Certificate of Occupancy, the Permit Holder shall undertake to bring the building or structure into full compliance with all applicable provisions of the Uniform Code and the Energy Code.

(e) Revocation or suspension of certificates. If the Code Enforcement Officer determines that a Certificate of Occupancy, Certification of Compliance, or a Temporary Certificate of Occupancy was issued in error or on the basis of incorrect information, and if the relevant deficiencies are not corrected to the satisfaction of the Code Enforcement Officer within such period of time as shall be specified by the Code Enforcement Officer, the Code Enforcement Officer shall revoke or suspend such certificate.

(f) Fee. The fee specified in or determined in accordance with the provisions set forth in section 18 (Fees) of this local law must be paid at the time of submission of an application for a Certificate of Occupancy, Certificate of Compliance, or for Temporary Certificate of Occupancy.

§101-8. NOTIFICATION REGARDING FIRE OR EXPLOSION.

The chief of any fire department providing firefighting services for a property within this **Town** shall promptly notify the Code Enforcement Officer of any fire or explosion involving any structural damage, fuel burning appliance, chimney, or gas vent.

§101 9. UNSAFE BUILDINGS, STRUCTURES, AND EQUIPMENT AND CONDITIONS OF IMMINENT DANGER

Unsafe buildings, structures, and equipment and conditions of imminent danger in this Town shall be identified and addressed in accordance with established by Chapter 108 Vacant Buildings or the following procedures:

A. Enforcement. Whenever the Building Inspector shall find a building or structure or portion thereof to be in violation of this chapter or to be dangerous or unsafe, he/she shall give the owner, agent or person in control of such building or structure written notice stating the defects thereof. This notice shall require the owner within a stated time either to meet all requirements of this chapter, complete specified repairs or improvements, or to demolish and remove the equipment, building, structure or portion thereof. When the Code Enforcement Officer determines that there is need for emergency enforcement of an unsafe structure, Subsection (2), below, shall be met.

(1) Failure of the owner or any subsequent owners to maintain the building and premises as required herein will be grounds for the Town:

[a] To remediate the defect and bill the cost of same to the owner as provided in § 101-9A(4)(b); and

[b] The owner will be subject to fees and penalties as provided herein.

(2) If the owner or occupant, after such notice, shall neglect or refuse to comply with such order, the Commissioner of Public Works is hereby authorized to employ labor and furnish materials and equipment to demolish said building or to make such modification as to make it safe. The value of said work and materials shall be paid by the Town, and the cost thereof shall be a lien against the property concerned and shall be collected by the Town, like other taxes and assessments.

(3). Emergency enforcement and costs.

(a) If the Building Inspector finds that there is actual and immediate danger of failure or collapse so as to endanger life, as defined in Chapter 101 of the Code for the Town of Glenville, such notice, as described in Subsection A, above, shall require the equipment, building, structure or portion thereof to not be used or reoccupied until the specified repairs and improvements are completed, inspected and approved by the building official. The Building Inspector shall cause to be posted at each entrance of such building a notice which includes the statement that THIS BUILDING IS UNSAFE AND ITS USE OR OCCUPANCY HAS BEEN PROHIBITED BY THE BUILDING INSPECTOR, TOWN OF GLENVILLE. Such notice shall remain posted until the required repairs or demolition are completed. It shall be unlawful for any person, firm or corporation or their agents or other servants to remove such notice without written permission of the Building Inspector, or for any person to enter the building except for the purpose of making the required repairs or of demolishing the same.

(b) In case the owner, agent or person in control cannot be found within, or if such owner, agent or person in control shall refuse, neglect or fail to comply with emergency measures to rehabilitate or to demolish and remove such buildings or structure or portion thereof, the

Enforcement Official shall undertake an appropriate action in the courts to compel compliance.

(4) In case of emergency which, in the opinion of the Building Inspector, involves imminent danger to human life or health of any person unless the unsafe property, as defined in Chapter 101, is immediately repaired, removed or secured, the Building Inspector shall report such facts to the Commissioner of Public Works or his designee, and the Commissioner of Public Works or his designee shall cause the immediate repair, removal or securing of such unsafe property.

(a) In such an event, the notification procedures and limitations set forth in this chapter need not be complied with. The Commissioner of Public Works or his designee shall cause said condition to be remedied, and the cost thereof, plus an administrative fee equal to the greater of 15% of the cost of such work or \$200, shall be assessed against the property by the Town Board, which shall constitute a lien and charge on such land and may be assessed upon said land in the manner provided in § 64, Subdivision 5a, of the Town Law; provided, however, that the owner and all other persons having an interest in the property are provided with notice, served as provided for in § 101-17, and an opportunity to be heard before the assessment of any lien against the land.

§101 10. OPERATING PERMITS.

(a) Operation Permits required. Operating Permits shall be required for conducting any process or activity or for operating any type of building, structure, or facility listed below:

- (1) manufacturing, storing, or handling hazardous materials in quantities exceeding those listed in the applicable Maximum Allowable Quantity tables found in Chapter 50 of the FCNYS;
- (2) buildings, structures, facilities, processes, and/or activities that are within the scope and/or permit requirements of the chapter or section title of the FCNYS as follows:
 - (i) Chapter 22, "Combustible Dust-Producing Operations." Facilities where the operation produces combustible dust;
 - (ii) Chapter 24, "Flammable Finishes." Operations utilizing flammable or combustible liquids, or the application of combustible powders regulated by Chapter 24 of the FCNYS;
 - (iii) Chapter 25, "Fruit and Crop Ripening." Operating a fruit- or crop-ripening facility or conducting a fruit-ripening process using ethylene gas;
 - (iv) Chapter 26, "Fumigation and Insecticidal Fogging." Conducting fumigation or insecticidal fogging operations in buildings, structures, and spaces, except for fumigation or insecticidal fogging performed by the occupant of a detached one-family dwelling;
 - (v) Chapter 31, "Tents, Temporary Special Event Structures, and Other Membrane Structures." Operating an air-supported temporary membrane structure, a temporary special event structure, or a tent where approval is required pursuant to Chapter 31 of the FCNYS;
 - (vi) Chapter 32, "High-Piled Combustible Storage." High-piled combustible storage facilities with more than 500 square feet (including aisles) of high-piled storage;
 - (vii) Chapter 34, "Tire Rebuilding and Tire Storage." Operating a facility that stores in excess of 2,500 cubic feet of scrap tires or tire byproducts or operating

a tire rebuilding plant;

(viii) Chapter 35, "Welding and Other Hot Work." Performing public exhibitions and demonstrations where hot work is conducted, use of hot work, welding, or cutting equipment, inside or on a structure, except an operating permit is not required where work is conducted under the authorization of a building permit or where performed by the occupant of a detached one- or two-family dwelling;

(ix) Chapter 40, "Sugarhouse Alternative Activity Provisions." Conducting an alternative activity at a sugarhouse;

(x) Chapter 56, "Explosives and Fireworks." Possessing, manufacturing, storing, handling, selling, or using, explosives, fireworks, or other pyrotechnic special effects materials except the outdoor use of sparkling devices as defined by Penal Law section 270;

(xi) Section 307, "Open Burning, Recreational Fires and Portable Outdoor Fireplaces." Conducting open burning, not including recreational fires and portable outdoor fireplaces;

(xii) Section 308, "Open Flames." Removing paint with a torch, or using open flames, fire, and burning in connection with assembly areas or educational occupancies; and

(xiii) Section 319, "Mobile Food Preparation Vehicles." Operating a mobile food preparation vehicle in accordance with the permitting requirements established by Local Law Number [4 of 2022], as now in effect or as hereafter amended from time to time.

- (3) energy storage systems, where the system exceeds the values shown in Table 1206.1 of the FCNYS or exceeds the permitted aggregate ratings in section R327.5 of the RCNYS.
- (4) buildings containing one or more assembly areas;
- (5) outdoor events where the planned attendance exceeds 1,000 persons;
- (6) facilities that store, handle or use hazardous production materials;
- (7) parking garages as defined in subdivision (a) of section 13 of this local law;
- (8) buildings whose use or occupancy classification may pose a substantial potential hazard to public safety, as determined by resolution adopted by the [specify legislative body] of this [City / Town / Village]; and
- (9) other processes or activities or for operating any type of building, structure, or facility as determined by resolution adopted by the [specify legislative body] of this [City / Town / Village]. Any person who proposes to undertake any activity or to operate any type of building listed in this subdivision (a) shall be required to obtain an Operating Permit prior to commencing such activity or operation.

(b) Applications for Operating Permits. An application for an Operating Permit shall be in writing on a form provided by or otherwise acceptable to the Code Enforcement Officer. Such application shall include such information as the Code Enforcement Officer deems sufficient to permit a determination by the Code Enforcement Officer that quantities, materials, and activities conform to the requirements of the Uniform Code. If the Code Enforcement Officer determines that tests or reports are necessary to verify conformance, such tests or reports shall be performed or provided by such person or persons as may be designated by or otherwise acceptable to the Code Enforcement Officer, at the expense of the applicant.

(c) Exemptions. Operating permits shall not be required for processes or activities, or the buildings, structures, or facilities listed in paragraphs (1) through (7) of subdivision (a) of this section, provided that the use is expressly authorized by a certificate of occupancy or certificate of compliance, fire safety and property maintenance inspections are performed in accordance with section 11 (Fire Safety and Property Maintenance Inspections) of this local law, and condition assessments are performed in compliance with section 13 (Condition Assessments of Parking Garages) of this local law, as applicable.]

(h) Fee. The fee specified in or determined in accordance with the provisions set forth in **§101-18 (Fees)** of this local law must be paid at the time submission of an application for an Operating Permit, for an amended Operating Permit, or for reissue or renewal of an Operating Permit.

§101 11. FIRE SAFETY AND PROPERTY MAINTENANCE INSPECTIONS

(a) Inspections required. Fire safety and property maintenance inspections of buildings and structures shall be performed by the Code Enforcement Officer or an Inspector designated by the Code Enforcement Officer at the following intervals:

- (1) at least once every twelve (12) months for buildings which contain an assembly area;
- (2) at least once every twelve months for public and private schools and colleges, including any buildings of such schools or colleges containing classrooms, dormitories, fraternities, sororities, laboratories, physical education, dining, or recreational facilities; and
- (3) at least once every thirty-six (36) months for multiple dwellings and all nonresidential occupancies.

(b) Remote inspections. At the discretion of the Code Enforcement Officer or Inspector authorized to perform fire safety and property maintenance inspections, a remote inspection may be performed in lieu of in-person inspections when, in the opinion of the Code Enforcement Officer or such authorized Inspector, the remote inspection can be performed to the same level and quality as an in-person inspection and the remote inspection shows to the satisfaction of the Code Enforcement Officer or such authorized Inspector that the premises conform with the applicable provisions of 19 NYCRR Part 1225 and the publications incorporated therein by reference and the applicable provisions of 19 NYCRR Part 1226 and the publications incorporated therein by reference. Should a remote inspection not afford the Code Enforcement Officer or such authorized Inspector sufficient information to make a determination, an in-person inspection shall be performed.

(c) Inspections permitted. In addition to the inspections required by subdivision (a) of this section, a fire safety and property maintenance inspection of any building, structure, use, or occupancy, or of any dwelling unit, may also be performed by the Code Enforcement Officer or an Inspector authorized to perform fire safety and property maintenance inspections at any time upon:

- (1) the request of the owner of the property to be inspected or an authorized agent of such owner;
- (2) receipt by the Code Enforcement Officer of a written statement alleging that conditions or activities failing to comply with the Uniform Code or Energy Code exist; or
- (3) receipt by the Code Enforcement Officer of any other information, reasonably believed by the Code Enforcement Officer to be reliable, giving rise to reasonable cause to believe that conditions or activities failing to comply with the Uniform Code or Energy Code exist;

provided, however, that nothing in this subdivision shall be construed as permitting an inspection under any circumstances under which a court order or warrant permitting such inspection is required, unless such court order or warrant shall have been obtained.

(d) OFPC Inspections. Nothing in this section or in any other provision of this local law shall supersede, limit, or impair the powers, duties and responsibilities of the New York State Office of Fire Prevention and Control ("OFPC") and the New York State Fire Administrator or other authorized entity under Executive Law section 156-e and Education Law section 807-b.

Notwithstanding any other provision of this section to the contrary, the Code Enforcement Officer may accept an inspection performed by the Office of Fire Prevention and Control or

other authorized entity pursuant to sections 807-a and 807-b of the Education Law and/or section 156-e of the Executive Law, in lieu of a fire safety and property maintenance inspection performed by the Code Enforcement Officer or by an Inspector, provided that:

- (1) the Code Enforcement Officer is satisfied that the individual performing such inspection satisfies the requirements set forth in 19 NYCRR section 1203.2(e);
- (2) the Code Enforcement Officer is satisfied that such inspection covers all elements required to be covered by a fire safety and property maintenance inspection;
- (3) such inspections are performed no less frequently than once a year;
- (4) a true and complete copy of the report of each such inspection is provided to the Code Enforcement Officer; and
- (5) upon receipt of each such report, the Code Enforcement Officer takes the appropriate action prescribed by section 17 (Violations) of this local law.]

(e) Fee. The fee specified in or determined in accordance with the provisions set forth in section 18 (Fees) of this local law must be paid prior to or at the time each inspection performed pursuant to this section. This subdivision shall not apply to inspections performed by OFPC.

§101 12. COMPLAINTS

The Code Enforcement Officer shall review and investigate complaints which allege or assert the existence of conditions or activities that fail to comply with the Uniform Code, the Energy Code, this local law, or any other local law or regulation adopted for administration and enforcement of the Uniform Code or the Energy Code. The process for responding to a complaint shall include such of the following steps as the Code Enforcement Officer may deem to be appropriate:

- (a) performing an inspection of the conditions and/or activities alleged to be in violation, and documenting the results of such inspection;
- (b) if a violation is found to exist, providing the owner of the affected property and any other Person who may be responsible for the violation with notice of the violation and opportunity to abate, correct or cure the violation, or otherwise proceeding in the manner described in section 17 (Violations) of this local law;
- (c) if appropriate, issuing a Stop Work Order;
- (d) if a violation which was found to exist is abated or corrected, performing an inspection to ensure that the violation has been abated or corrected, preparing a final written report reflecting such abatement or correction, and filing such report with the complaint.

§101 13. CONDITION ASSESSMENTS OF PARKING GARAGES.

(a) Definitions. For the purposes of this section:

- (1) the term "condition assessment" means an on-site inspection and evaluation of a parking garage for evidence of deterioration of any structural element or building component of such parking garage, evidence of the existence of any unsafe condition in such parking garage, and evidence indicating that such parking garage is an unsafe structure;
- (2) the term "deterioration" means the weakening, disintegration, corrosion, rust, or decay of any structural element or building component, or any other loss of effectiveness of a structural element or building component;

(3) the term "parking garage" means any building or structure, or part thereof, in which all or any part of any structural level or levels is used for parking or storage of motor vehicles, excluding:

- (i) buildings in which the only level used for parking or storage of motor vehicles is on grade;
- (ii) an attached or accessory structure providing parking exclusively for a detached one- or two-family dwelling; and
- (iii) a townhouse unit with attached parking exclusively for such unit;

(4) the term "professional engineer" means an individual who is licensed or otherwise authorized under Article 145 of the Education Law to practice the profession of engineering in the State of New York and who has at least three years of experience performing structural evaluations;

(5) the term "responsible professional engineer" means the professional engineer who performs a condition assessment, or under whose supervision a condition assessment is performed, and who seals and signs the condition assessment report. The use of the term "responsible professional engineer" shall not be construed as limiting the professional responsibility or liability of any professional engineer, or of any other licensed professional, who participates in the preparation of a condition assessment without being the responsible professional engineer for such condition assessment.

(6) the term "unsafe condition" includes the conditions identified as "unsafe" in section 304.1.1, section 305.1.1, and section 306.1.1 of the PMCNYS; and

(7) the term "unsafe structure" means a structure that is so damaged, decayed, dilapidated, or structurally unsafe, or is of such faulty construction or unstable foundation, that partial or complete collapse is possible.

(b) Condition Assessments – general requirements. The owner operator of each parking garage shall cause such parking garage to undergo an initial condition assessment as described in subdivision (c) of this section, periodic condition assessments as described in subdivision (d) of this section, and such additional condition assessments as may be required under subdivision (e) of this section. Each condition assessment shall be conducted by or under the direct supervision of a professional engineer. A written report of each condition assessment shall be prepared, and provided to the **Town**, in accordance with the requirements of subdivision (f) of this section. Before performing a condition assessment (other than the initial condition assessment) of a parking garage, the responsible professional engineer for such condition assessment shall review all available previous condition assessment reports for such parking garage.

(c) Initial Condition Assessment. Each parking garage shall undergo an initial condition assessment as follows:

(1) Parking garages constructed on or after August 29, 2018, shall undergo an initial condition assessment following construction and prior to a certificate of occupancy or certificate of compliance being issued for the structure.

(2) Parking garages constructed prior to August 29, 2018, shall undergo an initial condition assessment as follows:

- (i) if originally constructed prior to January 1, 1984, then prior to October 1, 2019;

- (ii) if originally constructed between January 1, 1984 and December 31, 2002, then prior to October 1, 2020; and
- (iii) if originally constructed between January 1, 2003 and August 28, 2018, then prior to October 1, 2021.

(3) Any parking garage constructed prior to the effective date of the local law enacting this provision that has not undergone an initial condition assessment prior to that effective date shall undergo an initial condition assessment prior to [specify date not more than six (6) months after the effective date of this local law].

(d) Periodic Condition Assessments. Following the initial condition assessment of a parking garage, such parking garage shall undergo periodic condition assessments at intervals not to exceed [specify interval not to exceed three (3) years].

(e) Additional Condition Assessments.

(1) If the latest condition assessment report for a parking garage includes a recommendation by the responsible professional engineer that an additional condition assessment of such parking garage, or any portion of such parking garage, be performed before the date by which the next periodic condition assessment would be required under subdivision (c) of this section, the owner or operator of such parking garage shall cause such parking garage (or, if applicable, the portion of such parking garage identified by the responsible professional engineer) to undergo an additional condition assessment no later than the date recommended in such condition assessment report.

(2) If the Town becomes aware of any new or increased deterioration which, in the judgment of the Town, indicates that an additional condition assessment of the entire parking garage, or of the portion of the parking garage affected by such new or increased deterioration, should be performed before the date by which the next periodic condition assessment would be required under subdivision (c) of this section, the owner or operator of such parking garage shall cause such parking garage (or, if applicable, the portion of the parking garage affected by such new or increased deterioration) to undergo an additional condition assessment no later than the date determined by the Town to be appropriate.

(f) Condition Assessment Reports. The responsible professional engineer shall prepare, or directly supervise the preparation of, a written report of each condition assessment, and shall submit such condition assessment report to the Town within **30 days**. Such condition assessment report shall be sealed and signed by the responsible professional engineer, and shall include:

- (1) an evaluation and description of the extent of deterioration and conditions that cause deterioration that could result in an unsafe condition or unsafe structure;
- (2) an evaluation and description of the extent of deterioration and conditions that cause deterioration that, in the opinion of the responsible professional engineer, should be remedied immediately to prevent an unsafe condition or unsafe structure;
- (3) an evaluation and description of the unsafe conditions;
- (4) an evaluation and description of the problems associated with the deterioration, conditions that cause deterioration, and unsafe conditions;
- (5) an evaluation and description of the corrective options available, including the recommended timeframe for remedying the deterioration, conditions that cause

deterioration, and unsafe conditions;

(6) an evaluation and description of the risks associated with not addressing the deterioration, conditions that cause deterioration, and unsafe conditions;

(7) the responsible professional engineer's recommendation regarding preventative maintenance;

(8) except in the case of the report of the initial condition assessment, the responsible professional engineer's attestation that he or she reviewed all previously prepared condition assessment reports available for such parking garage, and considered the information in the previously prepared reports while performing the current condition assessment and while preparing the current report; and

(9) the responsible professional engineer's recommendation regarding the time within which the next condition assessment of the parking garage or portion thereof should be performed. In making the recommendation regarding the time within which the next condition assessment of the parking garage or portion thereof should be performed, the responsible professional engineer shall consider the parking garage's age, maintenance history, structural condition, construction materials, frequency and intensity of use, location, exposure to the elements, and any other factors deemed relevant by the responsible professional engineer in their professional judgment.

(g) Review Condition Assessment Reports. The Town shall take such enforcement action or actions in response to the information in such condition assessment report as may be necessary or appropriate to protect the public from the hazards that may result from the conditions described in such report. In particular, but not by way of limitation, the Town shall, by Order to Remedy or such other means of enforcement as the Town may deem appropriate, require the owner or operator of the parking garage to repair or otherwise remedy all deterioration, all conditions that cause deterioration, and all unsafe conditions identified in such condition assessment report pursuant to paragraphs (2) and (3) of subdivision (f). All repairs and remedies shall comply with the applicable provisions of the Uniform Code. This section shall not limit or impair the right of the Town to take any other enforcement action, including but not limited to suspension or revocation of a parking garage's operating permit, as may be necessary or appropriate in response to the information in a condition assessment report.

(h) The Town shall retain all condition assessment reports for the life of the parking garage. Upon request by a professional engineer who has been engaged to perform a condition assessment of a parking garage, and who provides the Town with a written statement attesting to the fact that he or she has been so engaged, the Town shall make the previously prepared condition assessment reports for such parking garage (or copies of such reports) available to such professional engineer. The Town shall be permitted to require the owner or operator of the subject parking garage to pay all costs and expenses associated with making such previously prepared condition assessment reports (or copies thereof) available to the professional engineer.

(i) This section shall not limit or impair the right or the obligation of the Town:

- (1) to perform such construction inspections as are required by section 5 (Construction Inspections) of this local law;
- (2) to perform such periodic fire safety and property maintenance inspections as are required by section 11 (Fire Safety and Property Maintenance Inspections) of this local

law; and/or

(3) to take such enforcement action or actions as may be necessary or appropriate to respond to any condition that comes to the attention of the **Town** by means of its own inspections or observations, by means of a complaint, or by any other means other than a condition assessment or a report of a condition assessment.

§101 14. CLIMATIC AND GEOGRAPHIC DESIGN CRITERIA.

(a) The Code Enforcement Officer shall determine the climatic and geographic design criteria for buildings and structures constructed within this Town as required by the Uniform Code. Such determinations shall be made in the manner specified in the Uniform Code using, where applicable, the maps, charts, and other information provided in the Uniform Code. The criteria to be so determined shall include but shall not necessarily be limited to, the following:

- (1) design criteria to include ground snow load; wind design loads; seismic category; potential damage from weathering, frost, and termite; winter design temperature; whether ice barrier underlayment is required; the air freezing index; and the mean annual temperature;
- (2) heating and cooling equipment design criteria for structures within the scope of the RCNYS. The design criteria shall include the data identified in the Design Criteria Table found in Chapter 3 of the RCNYS; and
- (3) flood hazard areas, flood hazard maps, and supporting data. The flood hazard map shall include, at a minimum, special flood hazard areas as identified by the Federal Emergency Management Agency in the Flood Insurance Study for the community, as amended or revised with:
 - (i) the accompanying Flood Insurance Rate Map (FIRM);
 - (ii) Flood Boundary and Floodway Map (FBFM); and
 - (iii) related supporting data along with any revisions thereto.

(b) The Code Enforcement Officer shall prepare a written record of the climatic and geographic design criteria determined pursuant to subdivision (a) of this section, shall maintain such record within the office of the Code Enforcement Officer, and shall make such record readily available to the public.¹

§101 15. RECORD KEEPING.

(a) The Code Enforcement Officer shall keep permanent official records of all transactions and activities conducted by all Code Enforcement Personnel, including records of:

- (1) all applications received, reviewed and approved or denied;
- (2) all plans, specifications and construction documents approved;
- (3) all Building Permits, Certificates of Occupancy, Certificates of Compliance,

¹ NOTE: Section 14 ("Climatic and Geographic Design Criteria") requires the code enforcement official to determine the climatic and geographic design criteria for buildings and structures constructed within the jurisdiction as required by the Uniform Code. Please see Technical Bulletin TB-1009-RCNYS entitled "Requirements for Completing Table R301.2(1) in the 2020 Residential Code of New York State" and note that some values could be a range.

Temporary Certificates, Stop Work Orders, and Operating Permits issued;

- (4) all inspections and tests performed;
- (5) all statements and reports issued;
- (6) all complaints received;
- (7) all investigations conducted;
- (8) all condition assessment reports received;
- (9) all fees charged and collected; and
- (10) all other features and activities specified in or contemplated by sections 4 through 14, inclusive, of this local law.

(b) All such records shall be public records open for public inspection during normal business hours. All plans and records pertaining to buildings or structures, or appurtenances thereto, shall be retained for at least the minimum time period so required by State law and regulation.

§101 16. PROGRAM REVIEW AND REPORTING

(a) The Code Enforcement Officer shall annually submit to the Glenville Town Board a written report and summary of all business conducted by the Code Enforcement Officer and the Inspectors, including a report and summary of all transactions and activities described in section 14 (Record Keeping) of this local law and a report and summary of all appeals or litigation pending or concluded.

(b) The Code Enforcement Officer shall annually submit to the Secretary of State, on behalf of this Town, on a form prescribed by the Secretary of State, a report of the activities of this Town relative to administration and enforcement of the Uniform Code.

(c) The Code Enforcement Officer shall, upon request of the New York State Department of State, provide to the New York State Department of State, true and complete copies of the records and related materials this Town is required to maintain; true and complete copies of such portion of such records and related materials as may be requested by the Department of State; and/or such excerpts, summaries, tabulations, statistics, and other information and accounts of its activities in connection with administration and enforcement of the Uniform Code and/or Energy Code as may be requested by the Department of State.

§101 17: VIOLATIONS

(a) Orders to Remedy. The Code Enforcement Officer is authorized to order in writing the remedying of any condition or activity found to exist in, on or about any building, structure, or premises in violation of the Uniform Code, the Energy Code, or this local law. An Order to Remedy shall be in writing; shall be dated and signed by the Code Enforcement Officer; shall specify the condition or activity that violates the Uniform Code, the Energy Code, or this local law; shall specify the provision or provisions of the Uniform Code, the Energy Code, or this local law which is/are violated by the specified condition or activity; and shall include a statement substantially similar to the following:

"The person or entity served with this Order to Remedy must completely remedy each violation described in this Order to Remedy by _____ [specify date], which is thirty (30) days after the date of this Order to Remedy."

The Order to Remedy may include provisions ordering the person or entity served with such Order to Remedy (1) to begin to remedy the violations described in the Order to Remedy immediately, or within some other specified period of time which may be less than thirty (30) days; to continue diligently to remedy such violations until each such violation is fully remedied;

and, in any event, to complete the remedying of all such violations within thirty (30) days of the date of such Order to Remedy; and/or (2) to take such other protective actions (such as vacating the building or barricading the area where the violations exist) which are authorized by this local law or by any other applicable statute, regulation, rule, local law or ordinance, and which the Code Enforcement Officer may deem appropriate, during the period while such violations are being remedied. The Code Enforcement Officer shall cause the Order to Remedy, or a copy thereof, to be served on the owner of the affected property personally or by registered mail or certified mail within five (5) days after the date of the Order to Remedy. The Code Enforcement Officer shall be permitted, but not required, to cause the Order to Remedy, or a copy thereof, to be served on any builder, architect, tenant, contractor, subcontractor, construction superintendent, or their agents, or any other Person taking part or assisting in work being performed at the affected property personally or by registered mail or certified mail within five (5) days after the date of the Order to Remedy; provided, however, that failure to serve any Person mentioned in this sentence shall not affect the efficacy of the Compliance Order.

(b) Appearance Tickets. The Code Enforcement Officer and each Inspector are authorized to issue appearance tickets for any violation of the Uniform Code.

(c) Penalties. In addition to such other penalties as may be prescribed by State law,

(1) any Person who violates any provision of this local law or any term, condition, or provision of any Building Permit, Certificate of Occupancy, Certificate of Compliance, Temporary Certificate, Stop Work Order, Operating Permit or other notice or order issued by the Code Enforcement Officer pursuant to any provision of this local law, shall be punishable by a fine of not more than \$200 per day of violation; and

(2) any Person who violates any provision of the Uniform Code, the Energy Code or this local law, or any term or condition of any Building Permit, Certificate of Occupancy, Certificate of Compliance, Temporary Certificate, Stop Work Order, Operating Permit or other notice or order issued by the Code Enforcement Officer pursuant to any provision of this local law, shall be liable to pay a civil penalty of not more than \$200 for each day or part thereof during which such violation continues. The civil penalties provided by this paragraph shall be recoverable in an action instituted in the name of this Town.

(d) Injunctive Relief. An action or proceeding may be instituted in the name of this Town, in a court of competent jurisdiction, to prevent, restrain, enjoin, correct, or abate any violation of, or to enforce, any provision of the Uniform Code, the Energy Code, this local law, or any term or condition of any Building Permit, Certificate of Occupancy, Certificate of Compliance, Temporary Certificate, Stop Work Order, Operating Permit, Order to Remedy, or other notice or order issued by the Code Enforcement Officer pursuant to any provision of this local law. In particular, but not by way of limitation, where the construction or use of a building or structure is in violation of any provision of the Uniform Code, the Energy Code, this local law, or any Stop Work Order, Order to Remedy or other order obtained under the Uniform Code, the Energy Code or this local law, an action or proceeding may be commenced in the name of this Town, in the Supreme Court or in any other court having the requisite jurisdiction, to obtain an order directing the removal of the building or structure or an abatement of the condition in violation of such provisions. No action or proceeding described in this subdivision shall be commenced without the appropriate authorization from the Town Supervisor.

(e) Remedies Not Exclusive. No remedy or penalty specified in this section shall be the exclusive remedy or remedy available to address any violation described in this section, and each remedy or penalty specified in this section shall be in addition to, and not in substitution for or limitation of, the other remedies or penalties specified in this section, in section 6 (Stop Work Orders) of this local law, in any other section of this local law, or in any other applicable law. Any remedy or penalty specified in this section may be pursued at any time, whether prior to, simultaneously with, or after the pursuit of any other remedy or penalty specified in this section, in section 6 (Stop Work Orders) of this local law, in any other section of this local law, or in any other applicable law. In particular, but not by way of limitation, each remedy and penalty specified in this section shall be in addition to, and not in substitution for or limitation of, the penalties specified in subdivision (2) of section 382 of the Executive Law, and any remedy or penalty specified in this section may be pursued at any time, whether prior to, simultaneously with, or after the pursuit of any penalty specified in subdivision (2) of section 382 of the Executive Law.

§101 18: FEES

A fee schedule shall be established by resolution of the Town Board. Such fee schedule may thereafter be amended from time to time by like resolution. The fees set forth in, or determined in accordance with, such fee schedule or amended fee schedule shall be charged and collected for the submission of applications, the issuance of Building Permits, amended Building Permits, renewed Building Permits, Certificates of Occupancy, Certificates of Compliance, Temporary Certificates, Operating Permits, fire safety and property maintenance inspections, and other actions of the Code Enforcement Officer described in or contemplated by this local law.

§101 19. INTERMUNICIPAL AGREEMENTS

The Town Board may, by resolution, authorize the Town Supervisor to enter into an agreement, in the name of this Town, with other governments to carry out the terms of this local law, provided that such agreement does not violate any provision of the Uniform Code, the Energy Code, Part 1203 of Title 19 of the NYCRR, or any other applicable law.

§101-20. PARTIAL INVALIDITY

If any section of this local law shall be held unconstitutional, invalid, or ineffective, in whole or in part, such determination shall not be deemed to affect, impair, or invalidate the remainder of this local law.

§101-21. EFFECTIVE DATE

This local law shall take effect immediately upon filing in the office of the New York State Secretary of State in accordance with section 27 of the Municipal Home Rule Law.

Sponsored by: Sid Ramotar, Councilman
Submitted by: Thomas Coppola, Commissioner

RESOLUTION NO. 120-2022

Moved by: Councilman Ramotar
Seconded by: Councilman Martin

WHEREAS, the Highway Superintendent, Thomas Coppola, is the Town of Glenville Municipal Separate Storm Sewer System (MS4) Stormwater Management Officer; and

WHEREAS, Superintendent Coppola presented the 2021-2022 annual MS4 draft report to the Town Board at its May 4, 2022 meeting; and

WHEREAS, the draft report documents numbers and types of MS4 inspections, stormwater complaints, SWPPPs reviewed, active construction site inspections, public education efforts and staff training as well as captures goals to meet for next year's annual report submission; and

WHEREAS, a final version of the draft report is to be submitted to both NYS Department of Conservation (NYSDEC) by June 2022; and

WHEREAS, in addition to presenting the draft report at a Town Board public meeting, a written copy was made available at Town Hall as well as on the town website for public review and comment with no public comments received; and

WHEREAS, the Town Board reviews and approves such reports for accuracy, thoroughness and planning of future town MS4 activities; and

WHEREAS, the Town's Economic Development and Planning Department has prepared the report and finds that it meets the intent of the MS4 requirements; and

WHEREAS, the Town Board of the Town of Glenville has reviewed the report;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Glenville hereby approves the MS4 Annual Report for March 2021-March 2022; and

BE IT FURTHER RESOLVED, that the Town of Glenville approves the report.

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

Noes: None

Absent: None

Abstentions: None

Motion Carried

Town Board decision on May 4, 2022

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

RESOLUTION NO. 121-2022

Moved by: Councilman Martin
Seconded by: Councilman Ramotar

**AUTHORIZATION TO ENTER A SUBRECIPIENT AGREEMENT WITH THE
GLENVILLE LOCAL DEVELOPMENT CORPORATION
REGARDING A NYS OCR CDBG MICROENTERPRISE GRANT AWARD FOR
SMALL BUSINESS START-UP OR EXPANSION**

WHEREAS the Town of Glenville and Glenville Local Development Corporation (GLDC), hereinafter the “Parties”, seek to jointly administer the NYS Office of Community Renewal (OCR) Community Development Block Grant (CDBG) Microenterprise grant funds, hereinafter the “Project”; and

WHEREAS the Microenterprise grant is a \$300,000 award with 15% set-aside for project administration and delivery to provide small businesses a maximum grant of \$35,000 for purchasing equipment or expanding their footprint, and provides for payment up to 90% of total project costs for start-up or expansion activities with a 10% equity match requirement; and

WHEREAS the proposed subrecipient agreement defines the Parties’ respective responsibilities under the Project; and

WHEREAS the GLDC approved the subrecipient agreement at its April 26, 2022 Board meeting;

NOW, THEREFORE, BE IT RESOLVED THAT,

The Glenville Town Board Authorizes the Town Supervisor to sign the attached subrecipient agreement with the GLDC for administration of the microenterprise grant funding award.

This resolution will take effect immediately.

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

Noes: None

Absent: None

Abstention: None

Motion Carried

Town Board decision on May 4, 2022

Sponsored by: Christopher A. Koetzle, Town Supervisor
Submitted by: Julie Davenport, Town Clerk

RESOLUTION NO. 122-2022

Moved by: Councilman Godlewski
Seconded by: Councilwoman Wierzbowski

BE IT RESOLVED, that the minutes of the Regular Town Board meeting held on April 20, 2022 are hereby approved and accepted as entered.

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

Noes: None

Absent: None

Abstention: None

Motion Carried

Town Board decision on May 4, 2022

Sponsored by: Christopher A. Koetzle, Town Supervisor
Submitted by: Julie Davenport, Town Clerk

RESOLUTION NO. 123-2022

Moved by: Councilman Godlewski
Seconded by: Councilwoman Wierzbowski

WHEREAS, the Burnt Hills-Ballston Lake Business Professional Association (BH-BL BPA) will hold its 21st Annual Flag Day Parade on June 9, 2022 from approximately 6:30 P.M. to 8:50 P.M.; and

WHEREAS, the parade route will be generally along Route 50 and Kingsley Road, with a portion of the route in the Town of Glenville and another portion in the Town of Ballston; and

WHEREAS, the BH-BL BPA has submitted a map of the parade route, an event brochure, event application, insurance certificate and other required documents to the New York State Department of Transportation (NYSDOT); and

WHEREAS, the NYSDOT has granted the BH-BL BPA a special use permit for the parade, but requires the BH-BL BPA to comply with all municipal ordinances; and

WHEREAS, the Code of the Town of Glenville §§ 204-4 thru 204-9 requires a permit for Outdoor Public Exhibitions and Entertainments, and the amount therefore is established by Chapter 139 of said Code in the sum of \$150; and

WHEREAS, §139-16 of the Code of the Town of Glenville states, "No fee shall be charged if the applicant shall be a religious or charitable organization;" and

WHEREAS, the BH-BL BPA Flag Day Parade serves a generally educational and community purpose;

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Glenville hereby approves the application, authorizes the Town Clerk to issue the permit and waives the permit fee for the BH-BL PBA 21st Annual Flag Day Parade.

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

Noes: None

Absent: None

Abstention: None

Motion Carried

Town Board decision on May 4, 2022

Sponsored by: Christopher A. Koetzle, Town Supervisor

Submitted by: Julie Davenport, Town Clerk

RESOLUTION No. 124-2022

Moved by: Councilman Godlewski

Seconded by: Councilwoman Wierzbowski

BE IT RESOLVED, that the minutes of the Special Town Board meeting held on April 27, 2022 are hereby approved and accepted as entered.

Ayes: Councilwoman Wierzbowski, Councilmen Godlewski, Ramotar and Supervisor Koetzle

Noes: None

Absent: None

Abstention: Councilman Martin

Motion Carried

Town Board decision on May 4, 2022

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

RESOLUTION No. 125-2022

Moved by: Councilwoman Wierzbowski
Seconded by: Councilman Godlewski

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

WHEREAS, Glenville Town Code Chapter 195-16 allows for concessions in the parks only in the event of permission from the Town Board, and

WHEREAS, as part of the soccer league Fifty FC's "Father's Day Tournament" event, the Town has requested that Wolf Hollow Brewing and food vendors apply for permits to sell beer and food at the June 17-19, 2022 event in order to attract greater attendance; and

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

WHEREAS, Wolf Hollow Brewing and the food vendors 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 and 195-16 for the sale of food and alcoholic beverages proposed for the soccer league, Fifty FC's, "Father's Day Tournament" beginning on June 17, 2022 and ending on June 19, 2022, and approves the permits for the aforementioned event.

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

Noes: None

Absent: None

Abstention: None

Motion Carried

Town Board decision May 4, 2022

Supervisor Koetzle: The Supervisor brought up discussion from a past session regarding exploring options for a new facility. He asked for everyone's input and Councilman Martin explained some options regarding the Request for Qualifications (RFQ) and Request for Proposal (RFP). Everyone agreed the current facility isn't working anymore and discussed options to lease, build, add on or retrofit the current building. It was further decided that using either an RFP or RFQ sounds like a good option however that needs to be explored as well as checking to see if it is something the town can do. The Supervisor asked Earl Redding and he said that he will research that and get back to the Board. The Highway Superintendent spoke about the current facility and it's failing infrastructure. Councilman Godlewski liked the idea of an RFQ/RFP and would like to learn more about it but feels it's a very good option. Councilwoman Wierzbowski also

feels we need a new facility and isn't sure about leasing but wants to do what is best for the residents. Councilman Martin said the success of either depends on how you write the proposal and could make many drafts but is well worth it to address what the needs of the town are. Town Clerk Davenport mentioned attending a Records Management Conference in June and feels it would be beneficial when exploring storage needs. Councilman Ramotar agrees that the town needs a new facility and he feels building might be a better option. All Board members agree they want to do what is best for the residents and the town focusing on fiscal responsibility and long-term needs. It was agreed to explore the RFQ procedure to move forward on the project. The Supervisor also expressed his feeling on what will happen to the current facility and feels it is important to not leave it abandoned and feels its redevelopment needs to be apart of the RFQ. Councilman Martin and Earl Redding will work together and make sure the current building is part of the whole proposal. Councilman Martin explains you write the RFQ and review the proposals, narrow it down to three firms and they will submit an RFP. We would get the proposal, design, cost and then move forward from there.

New Business: 7:39 PM

Councilman Godlewski: Nothing

Councilwoman Wierzbowski: Can't wait until Love Our Parks this weekend.

Councilman Martin: Nothing

Councilman Ramotar: I am looking forward to chairing the Small Business Taskforce, I has some exciting things coming forward for the community and small businesses development.

Supervisor Koetzle: I will take a motion to adjourn the Town Board Meeting

Moved: Councilman Martin

Seconded: Councilman Godlewski

All in favor.

Meeting is adjourned at 7:53 PM

ATTEST

Julie Davenport

Julie Davenport

Town Clerk

