

**MEETING OF THE TOWN BOARD
TOWN OF GLENVILLE
April 3, 2024
AT THE GLENVILLE MUNICIPAL CENTER
18 GLENRIDGE ROAD, GLENVILLE, NEW YORK**

Supervisor Koetzle called the meeting to order at 7:00 PM;

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

Present: Supervisor Christopher A. Koetzle, Councilmen Sid Ramotar, Brendan Gillooley, Michael Aragosa, Robert Kirkham Jr.

Absent: None

Also present were Jeffrey A. Siegel, Attorney for the Town, Vicki Hillis, Director of Human Services, Anthony Tozzi, Director of Planning, Joshua Kirby, Comptroller.

Town Council Reports:

Councilman Aragosa- The GECC and something from that meeting are on tonight's Agenda. It was a good meeting.

Councilman Kirkham- I have a couple of things. I would just like to remind residents that this coming Monday bulk item pickup begins and have your stuff out on Sunday the 7th and they're going around one time. So, I'll remind you of that. I would just like to say that March storms are fabulous and I'd like to thank the men at the Highway Department for doing a fabulous job clearing the roads this past storm. I'd like to welcome our Comptroller to his first town board meeting in the official capacity.

Councilman Ramotar- No report

Councilman Gillooley- No report

Privilege of the Floor: Open 7:03 PM Closed 7:10 PM

Charles Dumas- Attorney with Lemery Greisler representing Matrix Hotels. They developed Homewood Suites on Freemans Bridge Road and they are interested in developing the area further. They have contracted with the Popolizio Family to purchase property on Freemans Bridge Road and build a hotel and retail area with the veterinary hospital is now located. He shared some renderings of the project and shared the or proposed project will be part id the comprehensive plan for Freemans Bridge Road. He is asking the Town Board to lift the Hotel Moratorium that is one the agenda for tonight.

Town Hall Discussion and presentation from Environmental Design Partnership C2
Brian and Sean shared the plans again regarding the new town hall project and there was a discussion with the Town Board on how they feel regarding the project. Everyone feels we need a new town hall and all feel a brand-new building is the smartest choice.

For the complete presentation and discussion use this link:
<https://www.youtube.com/watch?v=9ekuT9Zb0Sk>

Supervisors Comments: No Supervisors Comments

Sponsored by: Christopher A. Koetzle, Town Supervisor

Submitted by: Jeffrey A. Siegle, Attorney to the Town

RESOLUTION NO. 92-2024

Moved by: Councilman Kirkham

Seconded by: Councilman Ramotar

WHEREAS, the Town Board has reviewed the Town Code as applies to Solar Energy Systems; and

WHEREAS, the Town Board has determined that it is in the best interest of the Town to amend various provisions of Chapter 270 with respect to solar energy to modify certain definitions and to conform approval standard to the standards in Solar Energy Farm Overlay Districts; and

WHEREAS, the Town has prepared a proposed Local Law No. 5 of 2024 titled “Amendment to Glenville Town Code Chapter 270 With Respect to Solar Energy to Modify Certain Definitions and to Conform Approval Standards to the Standards in Solar Energy Farm Overlay Districts” and has made that proposed local law available for inspection by the public; and

WHEREAS, the Town is required to hold a public hearing on the proposed adoption of Local Law No. 5 of 2024; and

WHEREAS, proposed Local Law No. 5 is subject to the requirements of the State Environmental Quality Review Act (“SEQRA”), including the requirement of a public hearing;

NOW, THEREFORE BE IT RESOLVED that the Town Board of the Town of Glenville will hold a public hearing on the adoption of proposed Local Law No. 5 of 2024 on April 17, 2024 at 7:00 PM or as soon thereafter as the matter can be heard, at the Glenville Municipal Center at 18 Glenridge Road, Glenville, New York to hear all persons interested in Local Law No.5 of 2024 and to make a determination with respect to SEQRA; and

BE IT FURTHER RESOLVED that a copy of this order certified by the Town Clerk shall be published at least once in the official newspaper of the Town and that said publication be not less than ten nor more than twenty days before the April 17, 2024 public hearing date.

Ayes: Councilmen Ramotar, Gillooley, Aragosa, Kirkham and Supervisor Koetzle.

Noes: None

Absent: None

Abstention: None

Motion Carried

Town Board decision on April 3, 2024

Proposed local Law:

TOWN OF GLENVILLE
LOCAL LAW NO. 5 OF 2024

AMENDMENT TO GLENVILLE TOWN CODE
CHAPTER 270 WITH RESPECT TO SOLAR ENERGY
TO MODIFY CERTAIN DEFINITIONS AND
TO CONFORM APPROVAL STANDARDS
TO THE STANDARDS IN
SOLAR ENERGY FARM OVERLAY DISTRICTS

Section 1. The Town Board of the Town of Glenville finds that it is beneficial to the health and safety of the public to regulate Solar Energy projects in the Town. On December 6, 2017, the Town adopted Local Law No. 12-2017 to add Article XXII to the Town of Glenville Town Code (“Town Code”). The Town Board periodically reviews provisions of the Town Code, and amends provisions of the Town Code as it deems necessary and beneficial to the residents of the Town. The Town Board has determined that certain technical amendments to Chapter 270 of the Town Code are necessary in order to clarify certain provisions and definitions, and to provide for consistency in wording. To accomplish these purposes, the Town Board hereby amends Chapter 270 of the Glenville Town Code.

Section 2. Chapter 270, Article XXII of the Town Code is hereby amended follows:

- A. **§270-163. Definitions. is hereby amended to change the definition of Large-Scale Solar Energy System in its entirety to:**

LARGE-SCALE SOLAR ENERGY SYSTEM

A solar energy system that is ground-mounted and produces energy for the purposes of off-site sale or consumption. As used in Chapter 270, including Article V, §270 – 24.1D. Solar Energy Farm Overlay District, the terms “solar energy farms” or “Solar farms” mean Large-Scale Solar Energy System.

- B. **§270-166. Approval standards for large-scale solar systems as conditional uses. is hereby deleted in its entirety and replaced with the following:**

§270-166. Approval standards for Large-Scale Solar Energy Systems.

A. **The approval standards for Large-Scale Solar Energy Systems are governed by and are set forth in, Chapter 270, Article V, §270 – 24.1D(3) through (12) of the Town Code, as may be amended. All Large-Scale Solar Energy Systems must comply with all requirements Chapter 270, Article V, §270 – 24.1D(3) through (12) of the Town Code whether the proposed or**

existing Large-Scale Solar Energy System will be, or is, located in a Solar Energy Farm Overlay District.

- C. §270-167. Abandonment and decommissioning. is hereby deleted because abandonment and decommissioning are governed by provisions set forth in Town Code Chapter 270, Article V, §270 – 24.1D.**
- D. §270-168. Penalties for offenses. is hereby deleted because penalties for offenses are governed by provisions set forth in Town Code Chapter 270, Article V, §270 – 24.1D.**
- E. §270-169. Severability. is hereby renumbered as §270-167.**

Section 3. Chapter 270, Article V of the Town Code is hereby amended follows:

- A. §270-19.1D.(6) is hereby deleted.**
- B. §270-20C.(7) is hereby deleted.**
- C. §270-23D.(2) is hereby deleted.**
- D. §270-24D. is hereby deleted, and §270-24E. is redesignated as §270-24D.**

Section 4. The provisions of this local law are declared to be severable, and if any section, subsection, sentence, clause or part thereof is, for any reason, held to be invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of any remaining sections, subsections, clauses or part of this local law.

Section 5. This Local Law shall take effect immediately upon filing with the New York Secretary of State.

Sponsored by: Christopher A. Koetzle, Town Supervisor

Submitted by: Jeffrey A. Siegle, Attorney to the Town

RESOLUTION NO. 93-2024

Moved by: Councilman Kirkham

Seconded by: Councilman Ramotar

WHEREAS, the Town Board has reviewed the Town Code as applies to Solar Energy Farm Overlay Districts; and

WHEREAS, the Town Board has determined that it is in the best interest of the Town to make technical amendments to various provisions of Chapter 270 with respect to solar energy farm overlay districts to clarify certain requirements and provide consistent language; and

WHEREAS, the Town has prepared a proposed Local Law No. 6 of 2024 titled “Amendment to Glenville Town Code Chapter 270, Article V, §270-24.1. D. Solar Energy Farm Overlay Districts” and has made that proposed local law available for inspection by the public; and

WHEREAS, the Town is required to hold a public hearing on the proposed adoption of Local Law No. 6 of 2024; and

WHEREAS, proposed Local Law No. 6 is subject to the requirements of the State Environmental Quality Review Act (“SEQRA”), including the requirement of a public hearing;

NOW, THEREFORE BE IT RESOLVED that the Town Board of the Town of Glenville will hold a public hearing on the adoption of proposed Local Law No. 6 of 2024 on April 17, 2024 at 7:00 PM or as soon thereafter as the matter can be heard, at the Glenville Municipal Center at 18 Glenridge Road, Glenville, New York to hear all persons interested in Local Law No.6 of 2024 and to make a determination with respect to SEQRA; and

BE IT FURTHER RESOLVED that a copy of this order certified by the Town Clerk shall be published at least once in the official newspaper of the Town and that said publication be not less than ten nor more than twenty days before the April 17, 2024 public hearing date.

Ayes: Councilmen Ramotar, Gillooley, Aragosa, Kirkham and Supervisor Koetzle.
Noes: None
Absent: None
Abstention: None

Motion Carried

Town Board decision on April 3, 2024

Proposed local Law:

**TOWN OF GLENVILLE
LOCAL LAW NO. 6 OF 2024**

**AMENDMENT TO GLENVILLE TOWN CODE
CHAPTER 270, ARTICLE V, §270-24.1. D.
SOLAR ENERGY FARM OVERLAY DISTRICTS**

Section 1. The Town Board of the Town of Glenville finds that it is beneficial to the health and safety of the public to regulate Solar Energy projects in the Town. The Town of Glenville Town Code (“Town Code”) at **§270-24.1.D.** provides for Solar Energy Farm Overlay Districts. The Town Board periodically reviews provisions of the Town Code, and amends provisions of the Town Code as it deems necessary and beneficial to the residents of the Town. The Town Board has determined that certain technical

amendments to Chapter 270, Article V of the Town Code are necessary in order to clarify certain provisions and to provide for consistency in wording. To accomplish these purposes, the Town Board hereby amends Chapter 270 of the Glenville Town Code.

Section 2. Chapter 270, Article V, **§270-24.1.D.** of the Town Code, is hereby amended follows:

A. **§270-24.1.D(6)(e)(1)(k)[viii]** is hereby amended in its entirety to read as follows:

[viii] Signage. No signage or graphic content shall be displayed on the site of the Large-Scale Solar Energy System except the manufacturer's name, equipment specification information, safety information, and twenty-four-hour emergency contact information. Said information shall be depicted within an area no more than eight square feet.

B. **§270-24.1.D(6)(e)(1)(k)[x]** is hereby amended in its entirety to read as follows:

[x] Glare. All solar panels shall have antireflective coatings.

C. **§270-24.1.D(6)(e)(1)(k)[xi]** is hereby amended in its entirety to read as follows:

[xi] Lighting. Lighting of the site of the Large-Scale Solar Energy System shall be limited to that minimally required for safety and operational purposes and shall be reasonably shielded and downcast from abutting properties.

D. **§270-24.1.D(10)(b)** is hereby amended in its entirety to read as follows:

(b) Upon cessation of electricity generation of a Large-Scale Solar Energy System on a continuous basis for 12 months, the Town may notify and instruct the owner and/or operator of the system to implement the decommissioning plan. The decommissioning plan must be completed within 360 days of notification.

Section 3. The provisions of this local law are declared to be severable, and if any section, subsection, sentence, clause or part thereof is, for any reason, held to be invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of any remaining sections, subsections, clauses or part of this local law.

Section 4. This Local Law shall take effect immediately upon filing with the New York Secretary of State.

Sponsored by: Christopher A. Koetzle, Town Supervisor

Submitted by: Jeffrey A. Siegle, Attorney to the Town

RESOLUTION NO. 94-2024

Moved by: Councilman Kirkham

Seconded by: Councilman Ramotar

WHEREAS, by Town Law No. 3 of 2022, the Town enacted a temporary, two (2) year moratorium on the consideration, receipt or granting of land use applications, site plan approvals, zoning permits, special permits, zoning variances, building permits, operating permits, subdivision approvals, certificates of occupancy, certificates of compliance, temporary certificates, or other Town-level approvals of any nature to permit the siting or creation of "Large Scale Solar Installations" within the Solar Energy Farm Overlay District, as more particularly set forth in Local Law No. 3 of 2022; and

WHEREAS, Local Law No. 3 of 2022 at Section 3. B. (ii) provides that the moratorium shall expire on the effective date of a Town Board resolution affirmatively stating that the Town Board has determined that the need for this moratorium no longer exists; and

WHEREAS, during the term of the moratorium, the Town Board reviewed its solar energy legislation and has recently proposed changes to various sections of the Town Code pertaining to solar energy; and

WHEREAS, the Town Board has determined that the need for this moratorium no longer exists;

NOW, THEREFORE BE IT RESOLVED, that the temporary, two (2) year moratorium set forth in Town Law No. 3 of 2022 is hereby terminated effective April 17, 2024 as if such date was the date of expiration of the moratorium.

Ayes: Councilmen Ramotar, Gillooley, Aragosa, Kirkham and Supervisor Koetzle.

Noes: None

Absent: None

Abstention: None

Motion Carried

Town Board decision on April 3, 2024

Sponsored by: Christopher A. Koetzle, Town Supervisor

Submitted by: Jeffrey A. Siegle, Attorney to the Town

RESOLUTION 95-2024

Moved by: Councilman Kirkham

Seconded by: Councilman Ramotar

WHEREAS, by Town Law No. 5 of 2023, the Town enacted an interim or temporary suspension on the review, approval and/or issuance of all permits for or relating to hotels or motels, as more particularly set forth in Local Law No. 5 of 2023; and

WHEREAS, during the term of the suspension, the Town Board reviewed its legislation and intends to propose changes to various sections of the Town Code pertaining to hotels and motels; and

WHEREAS, the Town Board has determined that the need for this suspension no longer exists; and

WHEREAS, the Town has prepared a proposed Local Law No. 7 of 2024 titled “A Local Law to Terminate the Interim or Temporary Suspension on the Review, Approval, and/or Issuance of all Permits for or relating to Hotels or Motels,” and has made that proposed local law available for inspection by the public; and

WHEREAS, the Town is required to hold a public hearing on the proposed adoption of Local Law 7 of 2024;

NOW, THEREFORE BE IT RESOLVED that the Town Board of the Town of Glenville will hold a public hearing on the adoption of proposed Local Law No. 7 of 2024, on April 17, 2024 at 7:00 PM or as soon thereafter as the matter can be reached, at the Glenville Municipal Center at 18 Glenridge Road, Glenville, New York to hear all persons interested in Local Law No.7 of 2024; and

BE IT FURTHER RESOLVED that a copy of this order certified by the Town Clerk shall be published at least once in the official newspaper of the Town and that said publication be not less than ten nor more than twenty days before the April 17, 2024 public hearing date.

Ayes: Councilmen Ramotar, Gillooley, Aragosa, Kirkham and Supervisor Koetzle.

Noes: None

Absent: None

Abstention: None

Motion Carried

Town Board decision on April 3, 2024

Proposed local Law:

TOWN OF GLENVILLE

Local Law No. 7 of the year 2024

A LOCAL LAW TO TERMINATE THE INTERIM OR TEMPORARY SUSPENSION ON
THE REVIEW, APPROVAL AND/OR ISSUANCE OF ALL PERMITS FOR OR RELATING
TO HOTELS OR MOTELS

Be it enacted by the Town Board of the Town of Glenville as follows:

SECTION 1. TITLE

This local law shall be known as and may be cited as the “Early Termination of the Interim Development Law for Hotels or Motels in the Town of Glenville”.

SECTION 2. AUTHORITY

This local law is enacted pursuant to the Town of Glenville’s authority to enact local laws under the New York State Constitution, Article IX, and the Laws of the State of New York including but not limited to Section 10 of the Statute of Local Governments, granting towns the power to adopt, amend and repeal zoning regulations in the exercise of its functions, powers and duties.

SECTION 3. PURPOSE AND INTENT

PURPOSE

This Local Law is hereby enacted to terminate the prohibitions on the consideration of land use applications and approvals, as more particularly set forth in Local Law No. 5 of 2023 known as the Interim Development Law for Hotels or Motels in the Town of Glenville.

INTENT

The Town Board has determined that it has had sufficient time to review development of hotels and motels in the Town. The Town intends to amend some of its existing legislation, and finds that it is no longer necessary to continue the prohibitions set forth in Local Law No. 5 of 2023.

SECTION 4. EXPIRATION OF LOCAL LAW NO. 5 of 2023

Local Law No. 5 of 2023 shall expire effective April 17, 2024, as if such date was the date set forth for the expiration of Local Law No. 5 of 2023 in Section 9 of Local Law No. 5 of 2023.

SECTION 5. SEVERABILITY

If any clause, sentence, paragraph, section or part of this Local Law shall be adjudicated by any court of competent jurisdiction to be invalid, the judgment shall not effect the validity of this law as a whole or any part thereof other than the part so decided to be invalid.

SECTION 6. EFFECTIVE DATE

This local law shall be effective upon filing with the Department of State.

Sponsored by: Christopher A. Koetzle, Town Supervisor

Submitted by: Jeffrey A. Siegle, Attorney to the Town

RESOLUTION NO. 96-2024

Moved by: Councilman Kirkham
Seconded by: Councilman Ramotar

WHEREAS, the Town of Glenville and the Superintendent of Highways of the Town of Glenville were named as defendants in an action commenced in New York State Supreme Court, Schenectady County, titled Lynn M. Hamil and Chistopher B. Neal v. Machael Casadei, Ammamarie Neri, The Town of Glenville, Superintendent of Highways of the Town of Glenville, et.al., Index No. 2020-1414 (“Lawsuit”); and

WHEREAS, the Lawsuit involved a real property dispute primarily between Plaintiffs and Defendants Casadei and Neri, but also asserted claims against the Town that part of a certain roadway, being an extension of or a part of Simmons Lane, formerly known as Stone Arabia Road/ Stone Arabia Road Extension, is not a town highway, all as more particularly set forth in the Lawsuit; and

WHEREAS, decisions in the Lawsuit held in favor of Plaintiffs as against Defendants Casadei and Neri, but the Plaintiff’s claims against the Town, and the Town’s counterclaims against Plaintiffs were not resolved; and

WHEREAS, the Town Highway Superintendent has reviewed this matter and is willing to accept a permanent easement (“Easement”) over a portion of the disputed property for ingress, egress, and turn-around purposes, all as more particularly set forth in an easement agreement (“Easement Agreement”); and

WHEREAS, the Town Board is willing to settle Lawsuit if the Plaintiffs grant the Easement to the Town and execute the Easement Agreement, it being understood that the settlement of the Lawsuit on such terms and conditions benefits the Town because the Easement Agreement adequately allows use of the Easement to serve the Town’s needs and purposes, and also because the settlement provides finality and certainty without the Town expending additional funds and time;

NOW, THEREFORE BE IT RESOLVED that the Town is authorized to settle the Lawsuit on the terms and conditions set forth in a “So-Ordered Stipulation of Settlement” (“Stipulation”), to be executed by the attorney for the Town of Glenville and submitted to the Court for approval; and

BE IT FURTHER RESOLVED that if the Court approves the Stipulation, the Town Supervisor is hereby authorized to execute and deliver the Easement Agreement, along with all other documents necessary or required to record the Easement Agreement and to settle the Lawsuit.

Ayes: Councilmen Ramotar, Gillooley, Aragosa, Kirkham and Supervisor Koetzle.

Noes: None

Absent: None

Abstention: None

Motion Carried

Town Board decision on April 3, 2024

Sponsored by: Christopher A. Koetzle, Town Supervisor

Submitted by: Julie Davenport, Town Clerk

RESOLUTION NO. 97-2024

Moved by: Councilman Kirkham

Seconded by: Councilman Ramotar

BE IT RESOLVED, that the minutes of the Regular Town Board meeting held on March 20, 2024 are hereby approved and accepted as entered.

Ayes: Councilmen Ramotar, Gillooley, Aragosa, Kirkham and Supervisor Koetzle.

Noes: None

Absent: None

Abstention: None

Motion Carried

Town Board decision on April 3, 2024

New Business:

Councilman Aragosa: No new business.

Councilman Kirkham: No new business.

Councilman Ramotar: No new business.

Councilman Gillooley: No new business.

Supervisor Koetzle: Shared the Legacy Park event is cancelled due to weather and poor ground conditions and has been rescheduled for May 18th. There has been talk regarding the History Center and combining the Scotia and Glenville History Centers and using the Yates Mansion to house both. The Supervisor feels this is a good idea and will keep the work moving forward on the Yates project. He also reported that he and Tony had a good meeting with Department of Transportation on the different sidewalk projects. They are going to start the sidewalks on Dutch Meadows Lane near Legacy Park and they are very excited about that project and what it will do for the Towns connectivity. He shared that, Cathy Gatta, who is a County Legislator and, on the Freedom Park, Board drop a letter off and asked the Supervisor to read it as she couldn't be at the meeting.

Freedom Park Foundation

April 3, 2024

Supervisor Koetzle, Glenville Town Board, and CRVM Board of Directors,

We would like to extend our gratitude to you for addressing the concerns raised by the Freedom Park Foundation regarding the proposed event space at Legacy Park. Your responsiveness and willingness to consider the impact of Freedom Park demonstrate your commitment to fostering a collaborative and inclusive environment in our town and village.

The decision to revise the original amphitheater to a more intimate pavilion-style structure, not only safeguards the unique identity and purpose of Freedom Park, but also promotes harmony and cooperation among different entities within our community.

It is heartening to see our local government working in tandem with community organization to achieve mutually beneficial outcomes and uphold the values that make Glenville a special place to live.

With sincere appreciation,

Freedom Park Foundation

Board of Directors

I want to thank them for such for a kind letter and for their willingness to work with us. I think, just as they say about us, they are willing to be a cooperative and collaborative, I really want to thank them for doing the same and working with us on that. I think our community is much better for both the Freedom Park Project and also our Legacy Park project and it's just a very rich environment to live in. So, congratulations everybody. I think we made some folks happy, which is not usual. So, congratulations and with that I have no other new business and I'll take a motion to adjourn.

Motion: Councilman Kirkham

Second: Councilman Ramotar

Meeting adjourned at 7:38 PM

For a complete recording of the meeting please us the following link:
<https://www.youtube.com/watch?v=9ekuT9Zb0Sk>

ATTEST:

Julie Davenport
Town Clerk

