

## Public Hearing

## AGENDA

August 13, 2013

1. Call to Order
2. Roll Call
3. Pledge to the Flag
4. Approval of previous minutes.
5. Communications received.
6. Privilege of the Floor
7. Reports:

## Committee Reports

Assessors	Hayner
County and Town	Hargrave
Public Safety	Hargrave
Property	Arnold
Buildings & Grounds	Hargrave
Public Affairs	Arnold
Highway	Costanzo
Historian	Keeler

## LIAISON REPORTS

Planning Board	Tillson
Youth	Arnold
ZBA	Sutch
Senior Citizens	Sutch

8. Budget Adjustments:

None

9. Vouchers and Reports:

Approval of General Abstract of Vouchers (A) Town Wide

Approval of General Abstract of Vouchers (B) Town Outside Village

Approval of Highway Abstract of Vouchers (DA) Town Wide

Approval of Highway Abstract of Vouchers (DB) Town Outside Village

Approval of Special Districts Abstract of Vouchers (SL)

Approval of Supervisors Report.

### MOTIONS & RESOLUTIONS

10. Change September board meeting date due to primary.
11. Set dates for budget workshops.
12. Set dates for interviews.
13. Electronic equipment disposal.
14. Question and answer period.
15. Adjourn

PUBLIC HEARING  
AUGUST 13, 2013  
GALWAY TOWN HALL

Supervisor Hargrave called the Public Hearing to order at 7:17 p.m. The following Town Board Members were present:

PRESENT: Supervisor George Hargrave                      Councilman Michael Tillson  
Councilman Fred Arnold                                              Councilwoman Susan Sutch  
Councilman Paul Lent

OTHERS PRESENT: P. Keeler, Historian; D. Costanzo, Highway Superintendent; C. Ciembroniewicz, Building Inspector; B. Roll; H. Kopper; M. Kopper; C. Hynes; J. DiSalvatore; B. Puig; K. Ruch; P. MacDonald; C. MacDonald; B. Bischoff; T. O'Brien, Dog Control Officer; M. Pozefsky, Planning/Zoning Attorney & M. DeFoe, Town Clerk.

Clerk read legal notice placed in Daily Gazette on July 15, 2013 regarding establishing rules and the application process for the use of the Town Pavilion.

Supervisor Hargrave asked if anyone wanted to speak regarding Public Hearing. Councilwoman Sutch stated that when pavilion was built they knew that they would use it on Friday's for Farmers Markets, but the Dockstader Trust also wanted it to be available for public use. Rules & regulation for use of the pavilion have been established along with hold harmless agreement & application form.

Supervisor Hargrave closed the Public Hearing at 7:21 p.m.

REGULAR MEETING  
AUGUST 13, 2013  
GALWAY TOWN HALL

Supervisor Hargrave called the Regular Meeting to order at 7:31 p.m. The following Town Board Members were present: Same as Public Hearing.

Others Present: Same as Public Hearing.

Pledge to the Flag

A motion was made by Councilwoman Sutch, seconded by Councilman Arnold to approve the minutes of the July 9, 2013 Regular Meeting as submitted.

All ayes.

MOTION CARRIED

Communications – Town Clerk stated that Board Members received copies of the following correspondence: Building Inspector Report for August; Resignation letter from Justice Clemens effective September 1, 2013; Letter from LoAnn Sanders advising Town Board of dangerous situation with unauthorized use of town property by children riding

bikes at Town Hall; Letter from Supervisor Hargrave to Department Heads advising not to overspend on accounts; Dog Control Officer's Report for June & July along with Shelter report for July; Resignation letter from Supervisor Hargrave effective 11/30/13; Update from Congressman Chris Gibson dated 7/11/13 & 7/26/13; Weekly updates from State Comptroller dated 7/14; 7/28; 8/4 & 8/11/13; Assessor's Report for August; Approval letter from US Army Corps of Engineers for a culvert rehab by Girl Scouts of Northeastern NY over Glowegee; Notification from Saratoga County Department of Public Works that County Road 14/Fishhouse Road would be closed where it crosses the Kenyetto Creek in the Town of Providence from July 22, 2013 to approximately mid October, 2013; Schedule of entertainment and special events for Saratoga Race Course; Highway Department Report for July with schedule for August along with request for resolution addressing excess Chips funds for 2013; Numerous neighbor complaint letter regarding (8061 & 5698 Crooked Street); NYS & Local Retirement System Employer E-News for July; & email notification that the final 2013 State equalization rate for Town of Galway is 56.00. The following correspondence was also received: Time Warner Cable notification dated 7/16, 7/18 & 8/6/13 advising of possible changes in services/stations & 2014 Self Insurance Budget & Premiums Due for Town of Galway for 2014 is \$8,889.92.

**Privilege of the Floor** – **Cameron MacDonald** – stated he was a Life Scout in Galway Troop 5 looking to do an Eagle Scout Project. Cameron would like to do a history kiosk at recreation field by the pavilion. Town Board felt this would be a great idea, suggested he talk with the Highway Superintendent for placement suggestions. Phyllis Keeler, Town Historian volunteered to help with History. Once drawing is complete, will give information to Building Administrator to get permit. Supervisor Hargrave will get letter together advising that Town Board approved project.

**Barbara Roll** – advised that several years ago a group of people formed a corporation when they purchased 80 acres on Jockey Street. They went to the Planning Board and created a 7-lot Major Subdivision. The Planning Board required that one lot be set aside as a designated turn around area at top of hill for emergency service purposes. Looking into closing out corporation and would like permission to sell this designated turn around area to one of the property owners. **Attorney Pozefsky** advised that if this was an approved subdivision they would need to go before the Planning Board to make changes with reference to dedicated lot. Working on getting a more formal road association plan.

**Carol Hynes/Bradley Bischoff/Kyle Ruch/Barbara Puig & Jackie DiSalvatore** voiced this displeasure with a 10 year old documented zoning problem that to date has not been rectified on two parcels located on Crooked Street. One parcel has been in litigation regarding illegal structures. The other property had a stop work order placed on building. Currently these neighbors have witnessed workmen bringing in lumber/ materials and heard power tools being used inside this building with the stop work order on it. In addition someone is living inside this structure. Neighbors would like the following items addressed and status given: 1) What can be done to speed up the process to force illegal structures to be torn down; 2) What can neighbors do to stop construction immediately if another illegal structure is being built; 3) Did both properties have septic testing when ownership transferred, as both have occupants; 4) Why is Building

Administrator talking with Mr. Casadei regarding these properties if they are currently owned by Neri & Galway Co-Op; 5) Would like someone appointed to keep neighbors informed regarding concerns with these properties. What were results of June court appearance & 6) Would like harassment lighting coming from 5692 Crooked Street addressed as a violation to towns zoning code. **Attorney Pozefsky** stated with reference to the illegal structures on the first building the Town has been in legal action regarding code violation. This has been bounced around from court to court with four different courts having found conflicts with hearing case. It is currently assigned to the City of Amsterdam, waiting for court date. **Chet, Building Administrator** advised that he has been talking with Attorney regarding property with Stop Work Order on course of action to be taken regarding recent information from neighbors. **Attorney Pozefsky** stated that a violation follows the land, when the property is sold if the violation is on property it remains on property. No building permit could be issued to a parcel that has a violation. With reference to lighting issue, Attorney Pozefsky stated that the Town's zoning regulation do not address outdoor lighting except home occupations. **Mary Lynn Kopper** as a Director for her Grove at the Galway Lake Campers Association is hearing more and more that people can do whatever they want since there are no consequences for actions. **Herb Kopper** felt that the neighbors in this area have done everything over the years to keep the Town advised of the illegal activity on these parcels and the Town has done nothing to stop it. Herb feels the parking platform should be addressed with reference to setback requirements. **Chet** stated that he contacted the County DPW regarding platform setback with reference to road. **Councilman Arnold** felt that the lighting issue should be able to be addressed by Sheriff's Department as a harassment issue. **Kyle** stated that Co-Op is run out of this building; therefore lighting should be addressed by Town. Website uses this address as location of business. **Councilwoman Sutch** stated that the Town was bound by the Zoning Law on how they can proceed with these issues. Speaking for herself, she will pursue whatever can be done by law to rectify these situations. **Councilman Lent** stated that he agreed with Councilwoman Sutch that he would push for whatever needed to be done by law to rectify these situations. As a previous Chairman of the Planning Board it is the worst thing for residents to feel they can side step regulations and do whatever they want; at that point the Town either take control or loses control. **Councilwoman Sutch** suggested that as a group they look into contacting an attorney with reference to possible civil action. **Councilman Lent** suggested that Attorney Pozefsky advise these neighbors of hearing dates as they come up. **Supervisor Hargrave** stated that the Town Board has not put any monetary limits on what has to be done to correct situation by Attorney or Building Administrator.

**COMMITTEE REPORTS:** **Assessor** – Nothing in addition to written report.

**Historian** – Phyllis Keeler stated she was asked to speak at the Haganan Historical Society meeting September 15<sup>th</sup> regarding Galway Lake thru the years. Phyllis would like approval to purchase two pieces of artwork done by Rosalie Eaton depicting Galway History.

**RESOLUTION #: 37-2013** – Authorization for purchase of two paintings for Historian's Office. On a motion of Councilman Arnold, seconded by Councilman Tillson

the following resolution was ADOPTED: AYES – 5 NAYS – 0

RESOLVED that the Galway Town Board authorize the Town Historian to purchase two pieces of artwork depicting Galway History done by Rosalie Eaton in the amount of \$100.00 to be charged to A909 Fund Balance.

All ayes.

MOTION CARRIED

**Public Safety** – No Report. **Property** – No Report. **Buildings & Grounds** – Councilwoman Sutch stated that Farmers Market is doing very well, the vendors are happy. Would like to get more specialty vendors (closed to vegetable vendors - have sufficient number). **Public Affairs** – No Report. **Highway** – Superintendent Costanzo stated that for July the Highway Department Continued reconstruction of Old Mill Road; Paved with Ballston & Charlton; Paved top coat on Baptist Hill & Bell Roads; Overlaid on Welch Road and part of Shaw Road; Fixed storm damage/wash-outs on Antioch Road; Armer Road; Birchton Road; Parkis Mills Road; Peaceable Street & Old Mill Road; Worked with Greenfield; Mowed ball field & Mowed R.O.W.'s. For August they Paved Old Mill Road; Pave with Ballston, Greenfield & Milton; Finish work on Old Mill Road; Mow ball fields & R.O.W.'s. **County & Town** – Supervisor Hargrave stated on Town level starting to work on 2014 budget. On County level, selling landfill & looking to sell Maplewood Manor.

**LIAISON REPORTS: Planning Board** – No Report. **Youth** – Councilman Arnold stated that next year the port-a-potty will be divided between youth groups & Farmers Market. **ZBA** – No Meeting/ No Report. **Senior Citizens** – Councilwoman Sutch stated that she attended July Meeting; they continue to be very well attended, trips open to public. Discussed speaker on Senior Consumer Fraud. September 6<sup>th</sup> will be the Senior picnic at the Saratoga County Fair Grounds.

Councilman Arnold made a motion, seconded by Councilman Tillson to approve the General Abstract of Vouchers (A) dated 07/10/13 thru 08/07/13 for a total of \$7,249.98.

All ayes.

MOTION CARRIED

Councilman Tillson made a motion, seconded by Councilman Arnold to approve the General Abstract of Vouchers (B) dated 07/10/13 thru 08/07/13 for a total of \$8,423.98.

All ayes.

MOTION CARRIED

Councilman Lent made a motion, seconded by Councilman Arnold to approve the Highway Abstract of Vouchers (DA) dated 07/10/13 thru 08/07/13 for a total of \$2,767.01.

All ayes.

MOTION CARRIED

Councilman Sutch made a motion, seconded by Councilman Arnold to approve the Highway Abstract of Vouchers (DB) dated 07/10/13 thru 08/07/13 for a total of \$90,581.35.

All ayes.

MOTION CARRIED

## REGULAR MEETING, GALWAY TOWN BOARD, AUGUST 13, 2013

Councilwoman Sutch made a motion, seconded by Councilman Arnold to approve the Special District Abstract of Vouchers (SL) dated 7/10/13 thru 8/07/13 for a total of \$100.69.

All ayes.

MOTION CARRIED

Councilman Lent made a motion, seconded by Councilwoman Sutch to approve the Supervisor's Operating Statement for the period ending 7/31/13.

All ayes.

MOTION CARRIED

**RESOLUTION #: 38-2013** – Change September Town Board Meeting due to Primary Election. On a motion of Councilwoman Sutch, seconded by Councilman Tillson the following resolution was ADOPTED: AYES – 5 NAYS – 0

RESOLVED that the Galway Town Board change the September Town Board Meeting date from September 10, 2013 to September 11, 2013 at 7:30 p.m. due to the Primary Election.

All eyes.

MOTION CARRIED

**RESOLUTION #: 39-2013** – 2014 Budget Workshops. On a motion of Councilman Lent, seconded by Councilman Tillson the following resolution was ADOPTED:

AYES – 5                      NAYS – 0

RESOLVED that the Galway Town Board schedule the following 2014 Budget workshops:

September 24, 2013 at 7:30 p.m.

October 1, 2013 at 7:30 p.m.

October 9, 2013 at 7:30 p.m.

All ayes.

MOTION CARRIED

**RESOLUTION #: 40-2013** – Schedule interviews for custodian position. On a motion of Councilwoman Sutch, seconded by Councilman Tillson the following resolution was ADOPTED: AYES – 5                      NAYS – 0

RESOLVED that the Galway Town Board schedule custodian interviews for August 27 & 28<sup>th</sup>, 2013 at 7:30 p.m. Highway custodian will fill in during the interim once hall custodian leaves.

All ayes.

MOTION CARRIED

**RESOLUTION #: 41-2013** – Set dates for electronic equipment disposal. On a motion of Councilman Lent, seconded by Councilman Tillson the following resolution was ADOPTED: AYES – 5 NAYS – 0

RESOLVED that the Galway Town Board set the following dates for electronic equipment disposal: October 5, 2013 from 8:00 a.m. to 11:00 a.m. & October 8<sup>th</sup> & 9<sup>th</sup>, 2013 from 4:00 p.m. to 8:00 p.m.

All ayes.

MOTION CARRIED

Question & Answer Period – None.

## REGULAR MEETING, GALWAY TOWN BOARD, AUGUST 13, 2013

On a motion of Councilman Tillson, seconded by Councilwoman Sutch the meeting was adjourned to Executive Session at 9:30 p.m. to discuss pending litigation. The Town Board requested that the Building Administrator & Planning/Zoning Attorney attend Executive Session.

On a motion of Councilman Lent, seconded by Councilman Tillson the Town Board returned to Regular Session at 10:06 p.m. Supervisor Hargrave stated no action was taken by the Town Board during Executive Session.

All ayes.

MOTION CARRIED

Councilman Lent made a motion, seconded by Councilwoman Sutch to adjourn the meeting at 10:06 p.m.

All ayes.

MOTION CARRIED

Respectfully submitted,

