

**AGENDA****Galway Town Board Meeting****February 11, 2014****7:30 p.m.****Call to Order – Supervisor Lent****Roll Call – Town Clerk DeFoe****Pledge to the flag – All****Approval of minutes****Communications Received – Town Clerk DeFoe****REPORTS**Committees

- County and Town – Supervisor Lent
- Public Safety – Councilman Wilday
- Property – Councilman Arnold
- Building and Grounds – Councilman Smith

Highway – Superintendent Costanzo

Historian – Phyllis Keeler

Assessor – Victoria Hayner

Liaison Reports

Youth Commission – Councilman Arnold

Planning Board – Councilman Wilday

Zoning Board of Appeals – Councilman Smith

Senior Citizens – Supervisor Lent

Code Enforcement – Chet Ciembroniewicz

**Page #2 – Galway Town Board Meeting****January 14, 2014**

February 11, 2014

**Budget Report****Vouchers and Report**

1. Approval of General Abstract of Vouchers Fund A – Townwide
2. Approval of General Abstract of Vouchers Fund B – Town Outside Village
3. Approval of General Abstract of Vouchers Highway Fund DA – Townwide
4. Approval of General Abstract of Vouchers Highway Fund DB – Town Outside Village
5. Approval of General Abstract of Vouchers Fund SL – Special Lighting District
6. Supervisor's Budget Report

**Resolutions**

- Designating Supervisor Lent as delegate to Association of Towns Annual Meeting with voting rights.
- Adopting Rules of Order for the Board
- Authorizing additional hours for and budget adjustment Justice Court Clerk Jayne Tambasco
- Authorizing the purchase of a pick-up truck for the Highway Department

**Other Business**

- Appointment of Carol DeLorme as Clerk – Buildings and Code Enforcement PT
- Proposed Amendments to Town Code – Lighting, noise, smoke and general conditions

**Privilege of the Floor – open****Executive Session – Current Litigation & Labor Negotiations****Adjourn**

REGULAR MEETING  
 FEBRUARY 11, 2014  
 GALWAY TOWN HALL

Supervisor Hargrave called the meeting to order at 7:30 p.m. The following Town Board Members were present:

PRESENT: Supervisor Paul Lent                      Councilman Fred Arnold  
                     Councilman Rod Wilday                      Councilman Michael Smith

OTHERS PRESENT: M. Cuffe-Perez; K. Perez; D. & D. Clemens; B. Jones; J. Ciembroniewicz; P. Keeler, Historian; C. Ciembroniewicz, Building Inspector; D. Costanzo, Highway Superintendent; J. Cappon, Justice; T. O'Brien, Dog Control Officer; & M. DeFoe, Town Clerk.

Pledge to the Flag

A motion was made by Councilman Arnold, seconded by Councilman Wilday to approve the minutes of the January 14, 2014 Regular Meeting as submitted.

All ayes.

MOTION CARRIED

Communications – Town Clerk stated that Board Members received copies of the following correspondence: Historian's Annual Report for 2013; Assessor's Report for February; Building Department Report for February; January Highway Report with schedule for February; Quotes for pick-up truck; Quote for dump truck; NYS Retirement System Employer E-News; Weekly updates from State Comptroller dated 1/19, 1/26, 2/2 & 2/9/14; Congressman Chris Gibson update from Washington dated 1/17 & 1/29/14; Invitation for Board to attend the Governor's Executive Budget Address in Saratoga on January 30th & Information from Adirondack Insurance regarding price quotes asked for by Town Board at last month's meeting regarding optional deductibles for property, equipment & vehicle policies. The following correspondence was also received: Fully executed copy of the contract agreement between Office for the Aging & Town & Certificate of Designation for Association of Towns to allow Supervisor Lent to vote at Business Session February 19, 2014.

Supervisor Lent gave retired Justice Donald Clemens a plaque honoring him for all his years of service to the Town of Galway in his many different positions over the years. Recognition plaque was also done for past Supervisor Hargrave thanking him for his service to Town; he was unable to attend tonight's meeting.

**COMMITTEE REPORTS: County & Town** - Supervisor Lent stated that he is on the committee working on the sale of Maplewood Manor. Landfill has been sold. **Public Safety** – No Report. **Property** – No Report. **Building & Grounds** – No Report. **Highway** – Highway Superintendent, Costanzo stated for January the Highway Department purchased (2) backhoe buckets & forks from Long Island for \$100 under Federal Surplus; Town – Wide patched roads; fixed pot holes on gravel roads; fixed

culvert heaves with stone dust & cut brush; Sanded & Plowed; Cleared snow on all bridges; Mixed sand & salt & Mowed R.O.W.'s. For February will help Charlton haul sand; Cut brush town wide; Mix sand & salt; Sand & plow as needed and Mow R.O.W.'s. Supervisor Lent asked if salt shortage was hitting highway department. Highway Superintendent Costanzo stated it was not at this time. **Historian** – Phyllis Keeler went over her lengthy list of accomplishments for the Historian's Office for 2013. **Assessor** – Nothing in addition to written report. Phyllis has begun her 44<sup>th</sup> year as Historian for Town of Galway. Phyllis introduced one of her helpers, Joan Ciembroniewicz to Town Board.

**LIAISON REPORTS:** **Youth Commission** – Councilman Arnold stated that he and Councilman Smith attended the Youth Commission meeting. Rifle team continues to win at competitions. Getting enough ammunition continues to be a problem. Galway Youth continue to receive college scholarships for shooting ability. **Planning Board** – Councilman Wilday stated he attended Planning Board Meeting and was very impressed by the way the Board handled applicants. One application was a no show; another was a special use permit that was approved with stipulation; and the final was a lot line adjustment. **ZBA** – No Meeting/No Report. **Senior Citizens** – Supervisor Lent stated he didn't attend Senior's Meeting asked Phyllis Keeler to fill Town Board in on activity. Phyllis stated that trips are being planned; AARP Defensive Driving Course will be held on March 20th; Meetings continue to be very well attended. **Ethics** – Councilman Smith stated that he has contacted Sheelagh Baily & Arleen Rhodes to start the ball rolling on reviewing Town's current Ethic's Law for possible changes. **Code Enforcement** – Nothing in addition to written report.

Councilman Arnold made a motion, seconded by Councilman Smith to approve the General Abstract of Vouchers (A) dated 01/10/14 thru 02/07/14 for a total of \$58,497.08.

All ayes.

MOTION CARRIED

Councilman Smith made a motion, seconded by Councilman Arnold to approve the General Abstract of Vouchers (B) dated 01/10/14 thru 02/07/14 for a total of \$9,236.39.

All ayes.

MOTION CARRIED

Councilman Wilday made a motion, seconded by Councilman Smith to approve the Highway Abstract of Vouchers (DA) dated 01/12/14 thru 02/06/14 for a total of \$84,317.34.

All ayes.

MOTION CARRIED

Councilman Arnold made a motion, seconded by Councilman Wilday to approve the Highway Abstract of Vouchers (DB) dated 01/12/14 thru 02/06/14 for a total of \$39,288.93.

All ayes.

MOTION CARRIED

Councilman Smith made a motion, seconded by Councilman Wilday to approve the Lighting District Abstract of Vouchers (SL) dated 01/10/14 thru 02/06/14 for a total of

## REGULAR MEETING, GALWAY TOWN BOARD, FEBRUARY 11, 2014

\$240.00.

All ayes.

MOTION CARRIED

**RESOLUTION #4-2014**- Authorization for Supervisor to be voting delegate at Associations of Towns Meeting. On a motion of Councilman Arnold, seconded by Councilman Smith the following resolution was ADOPTED: AYES – 4 NAYS – 0

RESOLVED that the Galway Town Board authorize Supervisor Lent to be the voting delegate for the Town of Galway at the Association of Towns Business Session in New York City on February 19, 2014.

All ayes.

MOTION CARRIED

**RESOLUTION # 5-2014** – Adoption of Rules of Order for the Board. Supervisor Lent stated that at the January training session for new officials offered by Association of Towns it was suggested that Towns adopt Rules of Order. On a motion of Councilman Wilday, seconded by Councilman Arnold the following resolution was ADOPTED: AYES – 4 NAYS – 0

RESOLVED that the Galway Town Board adopt the following Rules of Order and add to Town Policy:

Whereas, Town Law Section 63 provides that the Town Board may determine the rules of its procedure;

Now therefore be it resolved that the following Rules of Order be and the same are hereby adopted pursuant to Town law Section 63:

1. The Supervisor shall preside at all meetings of the Board and shall preserve order and decorum in debate.
2. The Supervisor, immediately following the opening of every regular meeting of the Board, shall proceed to the regular order of Town business as described in the standard Town Board agenda.
3. Public Hearings: It shall be the duty of the Supervisor to preside at all general and special business hearings to instruct all persons addressing the Board to state their names and address and to request those in favor of the proposal before the Board to speak first and those in opposition to speak last. At such hearings each speaker is allotted up to five (5) minutes to speak and may not give to another speaker the balance of any unused time.
4. At the close of the public hearing as provided in paragraph “3” above, the Supervisor may grant any member of the general public in attendance at such meeting a reasonable opportunity to be heard on any subject in which the Town or its government is concerned. The standard Town Board meeting agenda will provide for the “privilege of the floor”. A speaker’s time is limited to not more than five (5) minutes.

5. Every resolution or motion must be seconded before being put to a vote by the Supervisor and all resolutions or motions shall be recorded in their entirety in the official minutes of the Town Board.
6. The Supervisor may offer or second a resolution or a motion and need not relinquish the chair for such purpose.
7. No member shall speak more than once on any question until every member choosing to speak shall have spoken, nor more than twice in any case without leave of the Board.
8. When a question is under debate, no motion shall be entertained unless (a) for an adjournment or recess, (b) for the previous question to lay on the table, (c) to postpone, to refer to a committee, or (d) to amend. These latter motions are neither amendable nor debatable.
9. No motion shall be made to offer any amendment to an amendment already before the Board on any proposition.
10. A majority vote of all the members of the Board shall be required to suspend these rules of order. A majority of the Board shall consist of a quorum.
11. If the above state rules are or become at any time in conflict with the statutory law, the statutory law shall take precedence.
12. No member of the public shall engage in any demonstration, booing, hand clapping or otherwise disrupt the formality of a town board meeting.
13. Any persons speaking to the Board with the consent of the Supervisor shall address their remarks to the Board, not to other members of the audience in the form of debate.

All ayes.

MOTION CARRIED

Justice Justin Cappon came before the Town Board to request 15 set hours per week for Court Clerk hours with an additional 8 hours to be used for catch-up and reevaluated in three months. This would be 23 hours per week of scheduled Court Clerk hours for Jayne Tambasco at a rate of pay of \$13.50. Jayne had 42 hours and 45 minutes in for January and 10 hours and 15 minutes for February; would like Board to pay her retroactive for that time. Councilman Smith questioned what amount of cases were for Town vs. Village. Justin stated that about 66% of Village work is vehicle & traffic cases whereas the Town has more penal law issues and evictions than traffic cases. He would estimate that about 40% is Village & 60% Town. Clerks are paid separately for Town vs. Village work. These proposed hours would be for Town Court related clean-up not Village. Supervisor Lent stated that Jayne is currently doing the work of two Clerks. Justin stated if approved it would be about two weeks until Jayne could begin new hours, she would need to put in her resignation at other part time job.

**RESOLUTION # 6-2014** – Authorization of additional hours & pay for Court Clerk. On a motion of Councilman Smith, seconded by Councilman Arnold the following resolution was ADOPTED: AYES– 4 NAYS – 0

RESOLVED that the Galway Town Board authorize the addition of 15 set hours per week for Court Clerk Jayne Tambasco with an additional 8 hours per week to be used for catch-up work and re-evaluated in three months to see if needed; rate of pay \$13.50 per hours and charged to A1110.1 Justice.

All ayes.

MOTION CARRIED

Town Board went into lengthy discussion with Highway Superintendent regarding purchase of pick-up truck. Supervisor Lent stated that this was originally discussed with Town Board last year, but no truck purchase was authorized. Funds were put in Highway Budget for purchase of pick-up truck for this year. Board discussed gas vs. diesel purchase. Supervisor Lent stated if we switch to gas we would need to re-due gas filling station which would require a new suppression system. Estimated cost to be code compliant would be approximately \$26,000. Budgeted figure for pick-up truck was \$40,000.

**RESOLUTION # 7-2014** – On a motion of Councilman Smith, seconded by Councilman Arnold the following resolution was ADOPTED: AYES – 4 NAYS – 0

RESOLVED that the Galway Town Board authorize the Highway Superintendent to purchase a pick-up truck in an amount not to exceed \$39,000 to be charged to DA9950.9 Capital Equipment Fund.

All ayes.

MOTION CARRIED

Town Board & Highway Superintendent when into discussion regarding need for new dump truck with plow. Supervisor Lent stated that there is \$55,000 in capital purchase fund towards this purchase. Highway Superintendent Costanzo stated that they have approximately \$30,000 in repairs to date on this current truck. Supervisor Lent stated that the Town needed to look at getting into a capital equipment replacement plan to address these large ticket items. The newest dump truck was purchased in 2007. The truck Highway Superintendent Costanzo is looking into replacing at this time is a 1997, purchased in 1996. It's not the mileage on these trucks that kills them, it's the salt. Supervisor Lent requested that Highway Superintendent look into financing on an annualized five year plan. Supervisor Lent has contacted a few local banks regarding capital project loans from 3-5 years; rates have come in at a low 3 year 1.5 to high 6.5. Superintendent Costanzo stated if they could get on a 12-14 year replacement plan for these trucks that would be great. Supervisor Lent stated that they would look into municipal loan further; this is not a Bond Anticipation Note. Municipal Law has recently changed to allow banks the ability to loan money to municipalities in this manner. Superintendent Costanzo stated before 2008 every four years there was a capital equipment purchase; there was an equipment replacement plan. Superintendent Costanzo & Town Board will review information and make a decision next month on this purchase.

**RESOLUTION # 8-2014** – Appointment of Carol DeLorme as Building Department Clerk. Supervisor Lent stated that many applications were received for Clerk position;

## REGULAR MEETING, GALWAY TOWN BOARD, FEBRUARY 11, 2014

Town was very lucky to have Carol offer to come out of retirement to apply for position. She has worked for the Town over the years as Planning/Zoning Clerk and is very familiar with Building Office. On a motion of Councilman Wilday, seconded by Councilman Arnold the following resolution was ADOPTED: AYES – 4 NAYS – 0

RESOLVED that the Galway Town Board appoint Carol DeLorme Building Department Clerk; rate of pay \$16.00 per hour to be charged to B3620.1 Building Inspection.

All ayes.

Supervisor Lent stated that he would like the Town Board to review information he gave them regarding a proposed Local Law Amending Zoning Regulations. **Tom O'Brien, Dog Control Officer** questioned if dog barking would be covered under this proposed regulation amendment? Attorney Pozefsky & Supervisor Lent stated that Dog Law may need to be looked at to address this concern. Supervisor Lent would like the Town Board to review proposed document; address any possible changes so that it could be scheduled for public hearing. If everything looks good, the Town Board could schedule a public hearing at next meeting to be held at the following meeting.

**Privilege of the Floor – Mary Cuffe-Perez** thanked Highway Department for the great job they do. Her concern was with the devastation the brush hog makes on road side. Highway Superintendent Costanzo stated that what they are doing now is brush hog, then follow up with cutting the remainder with chain saw. They did Hermance Road with Brush Hog and then the snow came before they could accomplish the remaining clean-up with the chain saw. They will be getting to this as soon as weather allows. Once they come thru the second time, if she is not happy Dave requested that she contact him.

On a motion of Councilman Arnold, seconded by Councilman Wilday the meeting was adjourned to Executive Session at 8:45 p.m. to discuss current litigation & labor negotiations.

All ayes.

MOTION CARRIED


Supervisor Lent returned the meeting to Regular Session at 9:40 p.m. and stated no action was taken by the Town Board during Executive Session.

Councilman Wilday made a motion, seconded by Councilman Smith to adjourn the meeting at 9:41 p.m.

All ayes.

MOTION CARRIED

Respectfully submitted,



Margaret L. DeFoe  
Town Clerk