

AGENDA  
July 13, 2010

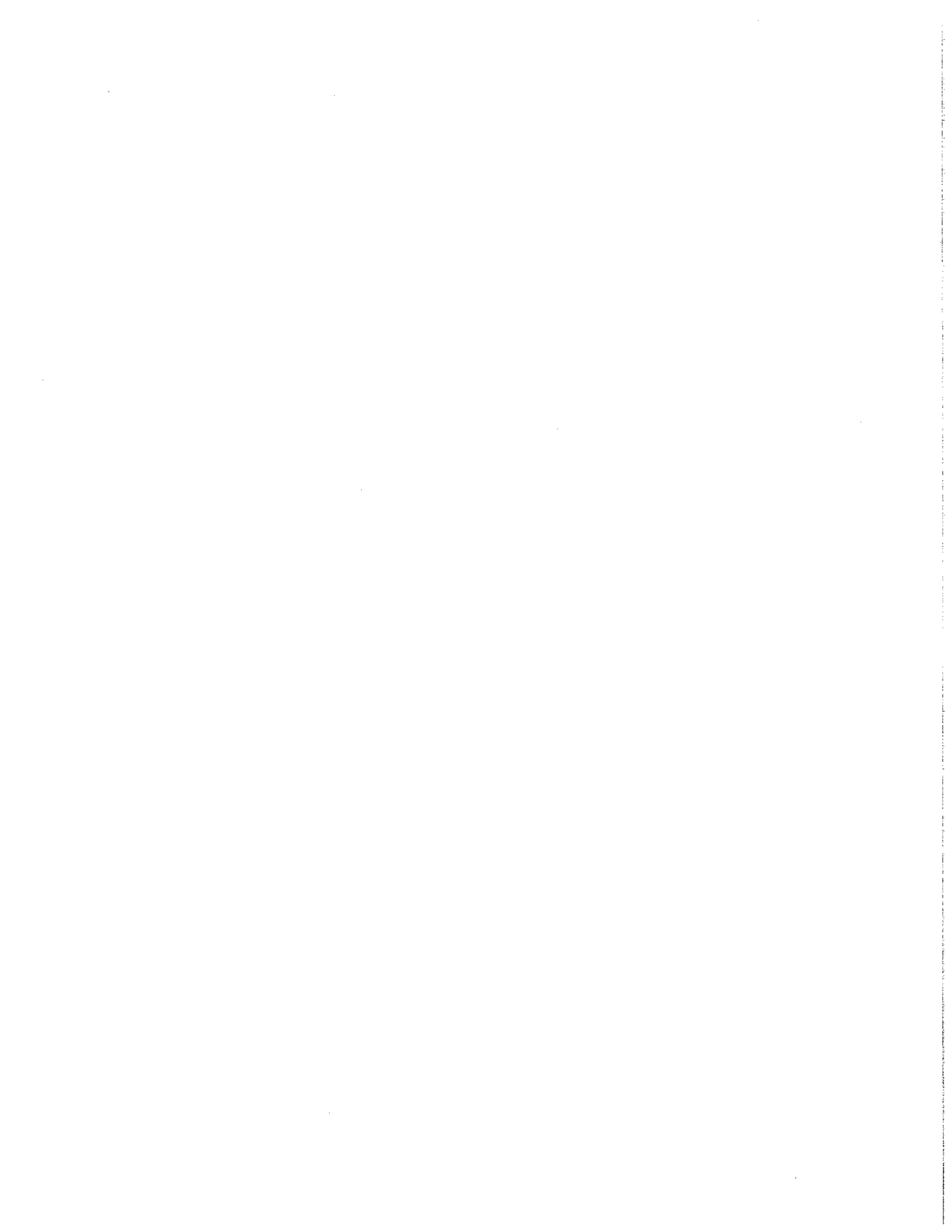
1. Call to Order
2. Roll Call
3. Pledge to the Flag
4. Approval of previous minutes.
5. Communications received.
6. Privilege of the Floor
8. Reports:

Committee Reports

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

LIAISON REPORTS

Planning Board	Tillson
Youth	Topper
ZBA	Weed
Senior Citizens	Arnold



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 Lighting District Abstract of Vouchers (SL)
- Approval of Galway Fire Co. Abstract of Vouchers (SF)
- Approval of Supervisors Report.

## MOTIONS & RESOLUTIONS

- 10. Budget Adjustments: None
- 11. Reappoint Mary Lynn Kopper to the Planning Board with a term to expire 7/1/15
- 12. Retirement resolution establishing Standard workdays and avg. days per month for appointed and elected officials of the town.
- 13. Other business (Expense control)
- 14. Adjourn

REGULAR MEETING  
 JULY 13, 2010  
 GALWAY TOWN HALL

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

PRESENT: Supervisor George Hargrave                      Councilman Michael Tillson  
                   Councilman William Topper                      Councilman George Weed  
                   Councilman Fred Arnold

OTHERS PRESENT: M. Concilla, Building Administrator; H. Kopper; D. Sowle; P. Keeler, Historian; M. Jazwinski; D. Costanzo, Highway Superintendent M. DeFoe, Town Clerk. A. Seidel arrived late at 8:13 p.m.

Pledge to the Flag

A motion was made by Councilman Arnold, seconded by Councilman Weed to approve the minutes of the June 8, 2010 Meeting as submitted.

All ayes.

MOTION CARRIED

Supervisor Hargrave stated that he received a call from a resident requesting that the Town Board pass a resolution making the English language the official language of the Town. He also requested that the Town Board pass an ordinance banning the hiring of illegal immigrants & renting to illegal immigrants.

**Communication** – Town Clerk stated that Board Members received copies of the following correspondence: June Highway Maintenance Report with Schedule for July; Assessor's Report dated July 13th; NYS Department of State Monthly Update; Dog Control Officer's Report for June; Press release from NYS Comptroller regarding continuation of housing downturn; Weekly news from NYS Comptroller dated 6/7-6/11; 6/14-6/18; 6/21-6/25; 6/28-7/2 & 7/5-7/9/10. The following correspondence was also received: Numerous updates from NYS Department of Public Service regarding application of National Grid for Certificate of Environmental Compatibility & Public Need regarding Transmission Line from Spier Falls, Saratoga County to Rotterdam; Time Warner Cable correspondence dated 6/7; 6/11; 6/21; 7/1 & 7/2/10 advising of possible changes in service/stations; Resignation letter from Ivy Cooper for Board of Assessment Review due to moving to Niskayuna; Notification from Towne, Ryan & Partners, P.C. regarding the application to NYS Liquor Authority from Village Pizzeria and Ristorante for permission to make alterations to business; Notification from Adirondack Trust Insurance that they replaced the Selective Policy with Traveler's Crime Policy at a short term quoted premium of \$671.; Letter from Darren Schaperjahn, President of Galway Youth Soccer Club with field concerns was given to Councilman Topper.

## REGULAR MEETING, GALWAY TOWN BOARD, JULY 13, 2010

Supervisor Hargrave discussed ongoing concerns with planting at recreation field. Due to ongoing cost for spraying; possible loss of plants due to over spray and lack of man power for continual up keep it was determined that planting would be removed and walking trail moved to fence line. This will address the soccer field footage concern of Soccer Club.

**Privilege of the Floor** – Donna Sowle, Chairman of Youth Commission advised that she had two different grants that she needed to clean up and would need checks cut prior to next month's meeting. Donna stated that she may also need to send a check back to the state for \$.28 if she doesn't have a receipt to submit on an additional grant. Thank you to Highway Department for work on soccer shed.

**RESOLUTION # 28-2010** – Authorization for checks to be cut for Youth Commission Grants prior to August meeting. On a motion of Councilman Weed, seconded by Councilman Tillson the following resolution was ADOPTED: AYES – 5 NAYS – 0

RESOLVED that the Galway Town Board authorize an amount up to \$1,000.00 be spent and checks cut prior to August meeting on Youth Commission Grants to be charged to B7310.4 Youth Programs CE due to grant deadline.

All ayes

MOTION CARRIED

**Privilege of the Floor** – Mike Jazwinski stated that a lot of tractor trailers have been using County Road 45 and NYS Route 147 since road conditions are so bad on NYS Route 67. Supervisor Hargrave stated that they are County & State Roads. Sheriff's Department did a weight check here at Town Hall last week. Weight limit on town roads is only in spring and local deliveries can't be denied access. Councilman Arnold will bring this to Joseph Ritchey's attention tomorrow.

**COMMITTEE REPORTS:** **Assessor** – Nothing in addition to written report. **Public Safety** – No Report. **Historian** – Phyllis Keeler advised that Joseph Henry Day was celebrated at school on June 17<sup>th</sup>. Joseph Henry Committee unveiled new sign. Thank you to Supervisor for attending and presenting proclamation. **Property** – No Report. **Public Affairs** - Councilman Arnold advised that neighborhood watch started in south west quadrant of town from NYS Route 147 and Galway Road to County line. Senior's will have a speaker from Attorney General's Office on consumer fraud. Supervisor Hargrave will be introducing the speaker, Beverly Schilling to Seniors on Thursday. **Building & Grounds** – Councilman Topper stated that only one organization is using baseball field this year. Went into discussion regarding request to modify field. Board determined that that would not be allowed. Councilman Topper will talk to this group about donating time/equipment to expand the back field for younger age group baseball size field. Town Board has no funding available for this construction. Town Clerk stated that use was down because baseball field was opened late. Teams had to have game schedule done prior to opening of field for league placement. Youth Appreciation Day was a big success. Numbers were down some from last year. **Highway** – Superintendent, Costanzo stated for June the highway department continued reconstruction of Greens Corners Road (Reclaiming; Gravel & Installing Cross Culverts); paved with Milton two days; mowed R.O.W.'s & mowed cemeteries, town wide. For

## REGULAR MEETING, GALWAY TOWN BOARD, JULY 13, 2010

July highway department expects to continue reconstruction of Greens Corners Road; mow R.O.W.'s & pave Greens Corners Road. Superintendent, Costanzo stated that he received a call from someone wanting to film a movie. They would have a tow truck/trailer with a car on it, camera mounted to film as they drove around. Dave has put a call into Attorney Horigan to make sure this is authorized. They will provide insurance certificate naming Town as additional insured. If Attorney Horigan authorizes this, Sheriff's Department will need to be notified so they are aware of filming. Middle School contacted highway department, interested in doing a walk in October from Hermance Road/Parkis Mills Road back to school. Dave gave school the number for the Sheriff's Department to let them know about walk. School has authorized Town to use their mower for ball field. They advised Dave of an auction in Colonie at the school on a nice mower. Board went into discussion with Dave regarding mower, Councilman Arnold volunteered to go with Dave to look at mower. Phyllis Keeler thanked Dave for work on Town Cemeteries. **County & Town** – Supervisor Hargrave stated that county was offering early retirement, 250 people were eligible and 50 appear interested. The estimated savings is about \$300,000. Animal Shelter hopes to open in August. Water system is looking at expanding. Radio system is moving along. August will begin budget request time.

**LIAISON REPORTS: Planning Board** – Councilman Tillson stated that Catherine Duncan received a 2-lot classification for her property located on Greens Corners Road and was scheduled for public hearing in July. Councilman Tillson stated that owners of Galway Veterinary Hospital received approval last year for an expansion of their special use permit. They recently sent a letter requesting a 90-day extension on this project. Information was forwarded to Planning Attorney Pozefsky for his interpretation. Town Clerk stated that she was recently advised by Building Inspector & Town Attorney that once a special use permit is issued by the Planning Board it forever changes the use of that parcel to commercial and no further action is needed by Planning Board. **ZBA** – No Meeting - No Report. **Youth** – Councilman Topper went into discussion regarding baseball getting involved with youth commission again and cost for young players. Donna Sowle stated it was important for these different organizations to attend the youth commission meetings for their input on program development. Councilman Tillson stated that they would be taking the Rifle Team to National Championship next week. **Senior Citizens** – No Report.

Councilman Arnold made a motion, seconded by Councilman Weed to approve the General Abstract of Vouchers (A) dated 6/9/10 thru 7/7/10 for a total of \$11,889.08.

All ayes.

MOTION CARRIED

Councilman Topper made a motion, seconded by Councilman Tillson to approve the General Abstract of Vouchers (B) dated 6/9/10 thru 7/7/10 for a total of \$4,950.65.

All ayes.

MOTION CARRIED

Councilman Weed made a motion, seconded by Councilman Topper to approve the Highway Abstract of Voucher (DA) dated 6/9/10 thru 7/7/10 for a total of \$7,015.14.

All ayes.

MOTION CARRIED

## REGULAR MEETING, GALWAY TOWN BOARD, JULY 13, 2010

Board went into lengthy discussion with Highway Superintendent, Costanzo regarding repairs on 2008 Ford F350 truck.

Councilman Tillson made a motion, seconded by Councilman Topper to approve the Highway Abstract of Vouchers (DB) dated 6/9/10 thru 7/7/10 for a total of \$15,879.03.

All ayes.

MOTION CARRIED

Councilman Arnold made a motion, seconded by Councilman Tillson to approve the Special Lighting District Abstract of Vouchers (SL) dated 6/9/10 thru 7/7/10 for a total of \$99.84.

All ayes.

MOTION CARRIED

Councilman Weed made a motion, seconded by Councilman Topper to approve the Fire Protection Abstract of Vouchers (SF) dated 6/9/10 thru 7/7/10 for a total of \$213.13.

All ayes.

MOTION CARRIED

Supervisor Hargrave stated that this bill for Fire Company was for printing at county, they have already reimbursed town for print job.

Councilman Topper made a motion, seconded by Councilman Tillson to approve the Supervisor's Operating Statement for the period ending 6/30/10.

All ayes.

MOTION CARRIED

Supervisor Hargrave stated that Town is thru June and at less than 50% on expenses.

**RESOLUTION # 28-2010** – Reappointment of Mary Lynn Kopper to Planning Board.

On a motion of Councilman Weed, seconded by Councilman Arnold the following resolution was ADOPTED: AYES – 5      NAYS – 0

RESOLVED that the Galway Town Board reappoint Mary Lynn Kopper to the Planning Board with a term to expire 7/01/15.

All ayes.

MOTION CARRIED

Supervisor Hargrave stated that he had received five resumes for Planning Board position.

**RESOLUTION # 29-2010** – Establishing Standard Work days for Elected & Appointed

Town Officials. Supervisor Hargrave stated that this was required by NYS Local Employees Retirement System. Resolution will need to be posted on Town website for 30 days and certified copy filed with State. On a motion of Councilman Topper, seconded by Councilman Weed the following resolution was ADOPTED BY ROLL

CALL VOTE:      AYES – 5      NAYS – 0

Supervisor George Hargrave – AYE

Councilman Michael Tillson – AYE

Councilman William Topper – AYE

Councilman George Weed – AYE

Councilman Fred Arnold – AYE

**RESOLUTION 29 -2010**  
**Establishing Standard Work Days for**  
**Elected and Appointed Town Officials**

Whereas, by its regulation, NYCRR 315.4, the Office of the State Comptroller requires municipalities to establish a standard work day for each elective or appointed official who participates in the New York State and Local Employees Retirement System, and

Whereas, it is in the best interest of the Town and its employees to formerly establish and reconfirm minimum standard work days for those individuals not already covered by the provisions of a collective bargaining agreement; now, therefore, be it

Resolved, that the Town Board of the Town of Galway hereby establishes the following as the minimum average work days for the following elective and appointive officials of the Town of Galway for purposes of reporting to the New York State Retirement System:

<u>Job Title</u>	<u>Term</u>	<u>Keep Time Record?</u>	<u>Standard Work Day</u>	<u>Days/ Month</u>
Supervisor	Indeterminate	N	6.0	0
Deputy Supervisor	Indeterminate	N	6.0	3.81
Town Board Member-1	Indeterminate	N	6.0	1.03
Town Board Member-2	Indeterminate	N	6.0	0
Town Board Member-3	Indeterminate	N	6.0	0
Town Clerk	Indeterminate	N	6.0	20.00
Deputy Town Clerk	1 Year	Y	6.0	13.3
Account Clerk	1 Year	N	6.0	0
Building Inspector	1 Year	N	6.0	14.67
Building Dept. Clerk	1 Year	Y	6.0	1.1
Planning Board Clerk	1 Year	Y	6.0	2.0
Assessor	6 Years	N	6.0	9.73
Town Justice #1	Indeterminate	N	6.0	0
Town Justice #2	Indeterminate	N	6.0	3.0
Town Justice Clerk #1	1 Year	N	6.0	0
Town Justice Clerk #2	1 Year	N	6.0	3.0
Town Hall Custodian	1 Year	Y	6.0	0
Highway Superintendent	Indeterminate	N	8.0	20.0
Highway Department Clerk	1 Year	Y	6.0	16.0
Highway Department Cleaner	1 Year	Y	6.0	16.0
Crossing Guard	1 Year	Y	3.5	20.0
Historian	1 Year	N	6.0	4.46
Animal Control Officer	1 Year	N	6.0	3.39



## REGULAR MEETING, GALWAY TOWN BOARD, JULY 13, 2010

Resolved that the Supervisor, Deputy Supervisor, Town Clerk, Account Clerk, Building Inspector, Town Justices, Town Justice Clerks and Highway Superintendent may either submit a daily record of their time worked or they may report their work activities in accordance with NYCRR section 3615.4(a); and be it further resolved that a copy of this resolution be posted on the Town website for a minimum of 30 days; and be it further resolved,

That a certified copy of this Resolution be filed with the Office of the State Comptroller within 45 days of the adoption hereof.

AYES – 5      NAYS – 0

MOTION CARRIED

Supervisor Hargrave stated that he gave all Board Members a copy of the Galway Ambulance budget. Supervisor Hargrave met with them Friday.

Supervisor Hargrave stated that contract negotiations needed to begin with Fire Company and Highway Employees.

**RESOLUTION #30-2010** – Town Policy # 4. Town Board determined that this policy would apply to employees that worked at least 10 hours per week. On a motion of Councilman Tillson, seconded by Councilman Topper the following resolution was ADOPTED: AYES – 5      NAYS – 0

RESOLVED that the Galway Town Board adopt the following Town Policy:

**TOWN POLICY #: 4**  
**Galway Employee Paid Time Off Policy**

**I**      The purpose of this document is to delineate the Town of Galway policy regarding paid time off from work for Town employees who qualify for this benefit.

**II**      **Applicability**

This policy applies to all permanent Town employees who are considered full time or part time working a minimum of ten (10) hours per week; are not elected officials; and are not represented by a recognized bargaining unit. Qualified individuals may be salaried or paid on an hourly basis. All paid time off must be approved by the Department Head or Town Supervisor.

**III**      **Underlying Principles**

A]      When an employee becomes qualified for paid vacation time off, the specific dates of the vacation time must be approved by the employee's Department Head. Department Heads must obtain approval for vacation dates from the Town Supervisor. The Town reserves the right to disapprove any person's vacation request based on the work load and scheduler needs of the Town business. Vacation requests must be approved prior to commencement of the individual's vacation, with at least one week allowance being provided for the Department Head/Supervisor to act on the request. If approval/disapproval is not

forthcoming within one week, the vacation request shall be considered approved. A vacation request is considered submitted when a dated note containing the requestors name is received (hard copy or Town E-mail) by the approving Supervisor (this event starts the one week approval cycle – verbal conformation initiated by the requestor to the Department Head/Supervisor is also encouraged). The total accumulated number of vacation days for any individual's vacation requests within each calendar year shall not exceed their number of allocated vacation days.

B] Vacation time must be taken in aggregate spans of single days. Parts of vacation days are not allowed. Pay received for each approved vacation day will be based on the individuals base weekly pay/salary divided by 5. For hourly employees, vacation pay will not include the influence of any pay for additional hours worked beyond the agreed upon base pay. Legal holidays (normal work week days the Town Hall is officially closed) will be paid at a rate equivalent to the individual's vacation pay provided the individual either works the immediate business days before and after the holiday (prior approved vacation days either before or after the holiday will not negate the holiday pay benefit). Any paid holidays will not require prior approval or count in the individual's vacation day tally.

C] Time off for personal illness when approved by the Department Head/Supervisor will be paid at the daily rate similar to the vacation pay determination. The paid sick time shall not exceed any consecutive 3 day period or a total of the annual accrual for the individual in any calendar year. Acceptable medical "proof" (such as a doctor or hospital note) for sick time taken shall be provided by the employee when requested by the Department Head/Supervisor.

#### **IV Qualifying Accrual Limits for Paid Time Off**

A] Paid vacation time shall be accrued on a calendar year basis as follows:

- First full calendar year of service – no vacation time accrued
- One to ten years of service – one week (5 days) time accrued
- Over 10 years – two weeks vacation time accrued

B] Paid sick time shall be accrued on a calendar year basis as follows:

- First full calendar year of service – no sick time accrued
- One to five years of service – 5 days accrued
- Over 5 years of service – 10 days accrued

Regardless of any individual's work service, pay (based on vacation time pay) for hospital stay time up to 2 weeks can be provided when approved by the Town Board.

- C] Paid time off will accrue on an annual calendar year basis (January through December) basis and must be used within the calendar year. Unused vacation and sick time at the end of the year will not be carried into the next year.

**V Individual Sanctions for not Complying with This Policy**

- In any given year, extended vacation time off (beyond the individuals accrued limit) may be taken if recommended by the department head/supervisor and approved by the Town Board, but shall not be paid.
- Any individual taking vacation without obtaining appropriate approval will be grounds for disallowing vacation pay (if approved by the Town Board). If this practice is repeated by any individual, the Board may dismiss the individual from Town employment.

All ayes.

MOTION CARRIED

**RESOLUTION # 31-2010** – Road side Clean-up. Councilman Weed went over cost for garbage bags and roll off for road side clean up day in August. Councilman Topper suggested asking school to take garbage bags with them on their walk in October. Town Clerk stated that Councilman Weed had stated that he would like to separate bottles from trash; she contacted school and has a contact name for bottle drive. On a motion of Councilman Topper, seconded by Councilman Tillson the following resolution was ADOPTED: AYES – 5 NAYS – 0

RESOLVED that the Galway Town Board authorize the purchase of garbage bags and a roll off garbage container for the August 7, 2010 Road Side Clean-up Day at a cost not to exceed \$1,500.00 to be charged to A1010.4 Town Board CE.

All ayes.

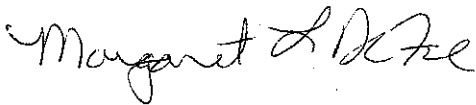
MOTION CARRIED

Councilman Arnold made a motion, seconded by Councilman Topper to adjourn the meeting at 8:51 p.m.

All ayes.

MOTION CARRIED

Respectfully submitted,



Margaret L. DeFoe

