

## AGENDA

June 11, 2013

1. Call to Order
2. Roll Call
3. Pledge to the Flag
4. Approval of previous minutes. (may 14)
5. Communications received. Presentation B. Canty (NYSDCP)
6. Abstract of the Agenda
7. Privilege of the Floor
8. Reports:

## Committee Reports

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

## LIAISON REPORTS

Planning Board	Tillson
Youth	Arnold
ZBA	Sutch
Senior Citizens	Sutch

**Budget Adjustments:**

## 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. Reappoint Ruth Ann Daino to the Planning Board ~~as Chairman~~ with a term to expire 7/1/18. Reappoint Mikel Shakarjian to the Planning Board with a term to expire 7/1/16.

11. Other Business (Period for Questions from Residents)

12. Adjourn.

REGULAR MEETING  
 JUNE 11, 2013  
 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 Fred Arnold            Councilwoman Susan Sutch  
             Councilman Paul Lent

OTHERS PRESENT: M. Cuff-Perez; P. Keeler, Historian; D. Costanzo, Highway Superintendent; T. O'Brien, Dog Control Officer; B. Canty, NYS Deferred Compensation Plan & M. DeFoe, Town Clerk.

Pledge to the Flag

A motion was made by Councilwoman Sutch seconded by Councilman Arnold to approve the minutes of the May 14, 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 dated June 11, 2013; Assessor's Report for May; May Highway Maintenance Report with Schedule for June; Dog Control Officer's Report for April & May along with Shelter report for April; Correspondence from NYS Department of Taxation & Finance reminding Town Board of Assessor appointment due in September; Notification from New York State Town Clerk Association regarding Uniform Notice of Claims Certificate; NYS Local Retirement Employer E-News; Weekly updates from State Comptroller dated 5/19; 5/26; 6/2; & 6/9; Update from Congressman Chris Gibson dated 5/24 & 6/10. The following correspondence was also received: NYS Department of Taxation & Finance tentative Equalization Rate 56.00; Notification dated 5/14; 5/29; 5/31 & 6/4/13 from Time Warner Cable of possible changes in services/stations; Follow up information from Department of Health & Human Services regarding Nutrition Examination Survey; Greater Galway Community Service Association Minutes; Receipts/Expenses for March & April; Families Served; New Families & Volunteers; Town Clerk needs clarification on pavilion usage charge for residents; do we want to incorporate the entire "School District" for use with just refundable deposit vs. "Town Residents"; Resolution is required regarding NYS DEC program for DECALS sporting license sales if Board chooses to opt out of sales. Town Clerk would like to continue with sales of sporting licenses. She would like to have a designated computer like we currently have for sales usage only; doesn't want DECALS incorporated into her computer for security purposes. Councilman Tillson felt we could use an old computer from upstairs for internet usage if DEC takes counter computer. The current setup is all DEC's equipment; internet connection is done thru their site with the company they currently use out of California. We then input just sales figures and commission into our Town Clerk program daily. Currently this computer is

not connected to our network/server. Town Board would also like Town Clerk to continue selling sporting licenses; if DEC takes counter computer Town Board will revamp an old computer for internet usage.

**Presentation by Brianna Canty from NYS Deferred Compensation Plan** – Brianna explained that this is a free supplemental retirement plan. There is no minimum number of employee's required for participation in plan. Payment to them is done similar to retirement/ health insurance. To offer this plan the Town Board would need to approve a customized resolution. There is a \$10 fee in April & October for participants enrolled in plan. Supervisor Hargrave stated that Town Board would advise Brianna of their decision regarding implementing this program.

**Privilege of the Floor** – None.

**COMMITTEE REPORTS:** **Assessor** – Supervisor Hargrave stated nothing in addition to written report. **Public Safety** – No Report. **Historian** – Phyllis Keeler stated that Beulah Klementowski was recently honored; article in Saratogian today. Beulah just turned 92 and still lives in her home here in Galway. She had 7 children of her own and 63 foster children. Phyllis explained the history of the naming of our town "Galway". **Property** – No Report. **Buildings & Grounds/Public Affairs** – Councilwoman Sutch stated the pavilion dedication ceremony was scheduled for June 28<sup>th</sup> at 3:30 p.m. ½ hour before Farmers Market opens for the first time. Plaques has been ordered for dedication; 50 invitations have been sent out; authorization for gift certificates to Barnes & Noble for school library in the name of top three winners of weathervane contest total cost to date \$1,300. Fire Department will be the first food vendor for Market. Food coupons were sent in invitation to non-Town employees in the amount of \$150; balloons need to be purchased \$140. With current weather Councilwoman Sutch questioned if they needed to rent a tent for ceremony since the pavilion will have vendors in it for Farmers Market? Highway Superintendent, Costanzo stated Town has one tent and he has two of his own that can be used for dedication ceremony. Councilwoman Sutch will advise Highway Superintendent where to put tents after her meeting with vendors and committee. Town Clerk advised that Norm & Margaret Griffin came in today regarding signing up the pantry for food vendor, gave them Councilwoman Sutch's number to contact. Market manager will need to come in and get keys for picnic tables and generator and fill out paperwork for payroll. Highway Superintendent, Costanzo questioned how it was working for people renting pavilion with regards to making sure everything is cleaned up when they are done. Town Clerk advised that to date we have only had one group rent pavilion. They used it on a Saturday, Town Clerk went down on Tuesday and checked site to make sure everything was picked up and in place before returning deposit. Board previously determined that this would be the way to handle pavilion rental. Town Clerk stated that soccer coaches should be advised at the beginning of each season that they are responsible for making sure everything is picked up on fields before they leave. Town Clerk advised Baseball when they started that they were responsible for picking up of garbage and taking it out. Highway Department will put up dedication plaque; sign for Farmers Market under Youth Commission Sign and Weathervane so everything is ready for dedication ceremony. **Highway** – Superintendent, Costanzo stated for May the

Highway Department continued reconstruction of Baptist Hill Road, Bell Road & Old Mill Road; Held Mine Safety Training; Ground Baptist Hill Road & Bell Road; Town-wide swept sand off roads; cut brush; storm damage clean-up; Mowed ball fields & Mowed R.O.W.'s. For June Highway Department will pave Baptist Hill Road, Bell Road and spur only on Old Mill Road; Continue reconstruction of Old Mill Road; Seal Armer Road, Birchton Road, Bliss Road & Peaceable Street; Mow ball fields & Mow R.O.W.'s. Councilwoman Sutch questioned voucher for reclamation of road. She questioned if Town's zipper did the same thing? Superintendent, Costanzo stated that zipper cuts 4' wide and 6" deep; this machine cuts 8' wide and 1' deep. This machine allows for a much better road base. **County & Town** – Supervisor Hargrave stated due to operation he doesn't have much of a report. County is working on selling Maplewood Manor & landfill, Looking for Director for Animal Shelter. Town level, will begin work on 2014 budget. Supervisor Hargrave stated that he is retiring in December, so someone will need to learn budget process and his job.

**LIAISON REPORTS: Planning Board** – No Meeting/No Report. **ZBA** – No Meeting/No Report. **Youth** – Councilman Arnold stated that Youth Commission discussed Family Fun Day Celebration to be held June 15, 2013 from 1-4 p.m. **Senior Citizens** – Councilwoman Sutch attended the June 7<sup>th</sup> meeting of the Senior Citizens. Their picnic is scheduled for June 20<sup>th</sup> at the Broadalbin American Legion Hall. Meetings continue to be very well attended. There was a Senior Action Council meeting today in Clifton Park. Many trips are planned and speakers scheduled for their meetings. Councilwoman Sutch stated that the Seniors had two requests for Town Board. They would like an electronics recycling day and extension of cable services for Mechanic Street. When the town renewed contract with Time Warner Cable they changed the house per mile from 15 to 20 and contract period from 10 years to 15 years. Town Clerk stated that she had given the Seniors two informational packets on electronic recycling. Hagaman had a program going on where they would pick up items at your home and the second was the county recycling at State Farm. Supervisor Hargrave stated he would check with Supervisor from Providence regarding this. Town Clerk stated that they were not interested at this time, since school just did an electronic recycling day. School doesn't advertise well for this recycling day.

Councilwoman Sutch made a motion, seconded by Councilman Arnold to approve the General Abstract of Vouchers (A) dated 05/15/13 thru 06/06/13 for a total of \$28,378.28.

All ayes.

MOTION CARRIED

Councilman Tillson made a motion, seconded by Councilwoman Sutch to approve the General Abstract of Vouchers (B) dated 05/15/13 thru 06/05/13 for a total of \$879.43.

All ayes.

MOTION CARRIED

Highway Superintendent, Costanzo stated that DA Voucher has Albany Mack Sales as 5130.2 should be 5130.4. Councilman Arnold made a motion, seconded by Councilman Tillson to approve the Corrected Highway Abstract of Vouchers (DA) dated 05/15/13 thru 06/05/13 for a total of \$5,097.09.

All ayes.

MOTION CARRIED

Councilman Lent made a motion, seconded by Councilman Arnold to approve the Highway Abstract of Vouchers (DB) dated 05/15/13 thru 06/05/13 for a total of \$44,355.42.

All ayes.

MOTION CARRIED

Councilman Tillson made a motion, seconded by Councilman Lent to approve the Special District Abstract of Vouchers (SL) dated 5/15/13 thru 6/5/13 for a total of \$110.96.

All ayes.

MOTION CARRIED

Councilman Arnold made a motion, seconded by Councilwoman Sutch to approve the Supervisor's Operating Statement for the period ending 5/31/13.

All ayes.

MOTION CARRIED

**Other Business** -- Mary Cuffe-Perez questioned what positions were going to be vacant on Town Board. Supervisor Hargrave stated he was retiring. There would be three Board Member seats running and Supervisor.

**RESOLUTION #: 24-2013** -- Reappoint Ruth Ann Daino to Planning Board. On a motion of Councilwoman Sutch, seconded by Councilman Lent the following resolution was ADOPTED: AYES – 5 NAYS – 0

RESOLVED that the Galway Town Board reappoint Ruth Ann Daino to the Planning Board with a term to expire 7/1/18.

All ayes.

MOTION CARRIED

**RESOLUTION #: 25-2013** -- Reappoint Mikel Shakarjian to Planning Board. On a motion of Councilman Tillson, seconded by Councilman Lent the following resolution was ADOPTED: AYES – 5 NAYS – 0

RESOLVED that the Galway Town Board reappoint Mikel Shakarjian to the Planning Board with a term to expire 7/1/16.

All ayes.

MOTION CARRIED

**RESOLUTION #: 26-2013** -- Authorization for use of pavilion to be extended to Galway School District Residents vs. Town Residents. Town Clerk stated that currently the pavilion use has no charge for "Town of Galway Residents" just the refundable cleaning deposit. On a motion of Councilman Tillson, seconded by Councilwoman Sutch the following resolution was ADOPTED: AYES – 5 NAYS – 0

RESOLVED that the Galway Town Board authorize the use of pavilion to be extended to Galway School District Residents at no charge with \$50.00 refundable cleaning deposit fee.

All ayes.

MOTION CARRIED

**RESOLUTION #: 27-2013** -- Schedule public hearing for review of proposed Local Law providing for the repair or removal of unsafe building and collapsed structures. Councilman Lent gave Board Members last month a copy of this proposed law for their review. On a motion of Councilman Lent, seconded by Councilman Arnold the following resolution was ADOPTED: AYES – 5 NAYS – 0

RESOLVED that the Galway Town Board schedule a public hearing for July 9, 2013 at 7:00 p.m. to review proposed Local Law 1-2013 entitled "A LOCAL LAW PROVIDING FOR THE REPAIR OR REMOVAL OF UNSAFE BUILDINGS AND COLLAPSED STRUCTURES".

All ayes.

MOTION CARRIED

**RESOLUTION #: 28-2013** – Uniform Notice of Claims Update. On a motion of Councilman Tillson, seconded by Councilwoman Sutch the following resolution was ADOPTED: AYES – 5 NAYS – 0

WHEREAS, General Municipal Law, 53 requires towns to file a certificate with the Secretary of State designating the Secretary of State as an agent for service of a notice of claim; and

WHEREAS, General Municipal Law, 53 requires the certificate to include the applicable time limit for filing the notice of claim and the name, post office address and electronic mail address, if available, of an officer, person, for the transmittal of notices of claim served upon the Secretary as the town's agent; and

WHEREAS, pursuant to General Municipal Law, 50-e(1)(a), the applicable time limit for the filing of a notice of claim upon a town is 90 days after the claim arises, or in the case of a wrongful death action, 90 days from the appointment of a representative of the decedent's estate; **Now therefore Be It**

**RESOLVED, that the Town Board of the Town of Galway, County of Saratoga designates Margaret L. DeFoe in her capacity as Town Clerk to receive notices of claims served upon the Secretary of State by mail at P.O. Box 219, 5910 Sacandaga Road, Galway, NY 12074 and email at [pdefoe@townofgalway.org](mailto:pdefoe@townofgalway.org).**

**BE IT FURTHER RESOLVED, that the Town Board hereby directs the Town Clerk to file the required certificate with the Secretary of State informing him or her of the town's designation and applicable time limitation for filing a notice of claim with the town on or before July 14, 2013.**

All ayes.

MOTION CARRIED

Supervisor Hargrave stated that Town Board would not need to make resolution on Assessor until September 1, 2013.

Supervisor Hargrave stated newsletter articles are due July 19, 2013 at 4 p.m.

Supervisor Hargrave received an email from 114 Assembly District requesting that the Town do a resolution demanding Sheldon Silver step down. Town Board discussed request and determined that this was not Town's fight; this is State Representatives job if needed.

**RESOLUTION #: 29-2013** – Adoption of State of NY Deferred Compensation Plan.

On a motion of Councilman Lent, seconded by Councilman Tillson the following resolution was ADOPTED BY ROLL CALL VOTE: AYES – 5 NAYS – 0  
Supervisor George Hargrave – AYE Councilman Michael Tillson – AYE  
Councilman Fred Arnold – AYE Councilwoman Susan Sutch – AYE  
Councilman Paul Lent - AYE

Adoption of The State of New York Deferred Compensation Plan

WHEREAS, the Town of Galway wishes to adopt the Deferred Compensation Plan for Employees of the State of New York and Other Participating Public Jurisdictions (the “Plan”) for voluntary participation of all eligible employees; and

WHEREAS, the Town of Galway is a local public employer eligible to adopt the Plan pursuant to Section 5 of the State Finance Law\* and

WHEREAS, the Town of Galway has reviewed the Plan established in accordance with Section 457 of the Internal Revenue Code and Section 5 of the State Finance Law of the State of New York; and

WHEREAS, the purpose of the Plan is to encourage employees to make and continue careers with the Town of Galway by providing eligible employees with a convenient and tax-favored method of saving on a regular and long-term basis and thereby provide for their retirement;

\* A local public employer eligible to adopt the Plan pursuant to Section 5 of the State Finance Law includes: a county, city, town, village or other political subdivision as defined in Section 131 of the retirement and Social Security law or civil division of the State; a school district or other governmental entity operating a public school, college, or university; a public improvement or special district, a public authority, commission , or public benefit corporation; or any other public corporation, agency or instrumentality or unit of government which exercises governmental powers under the laws of the State.

NOW, THEREFORE, it is hereby:

RESOLVED, that the Town of Galway hereby adopts the Plan for the voluntary participation of all eligible employees; and it is further

RESOLVED, that the appropriate officials of the Town of Galway are hereby authorized to take such actions and enter such agreements as are required or necessary for the adoption, implementation, and maintenance of the Plan; and it is further

RESOLVED, that the Administrative Services Agency is hereby authorized to file copies of these resolutions and other required documents with the President of the State of New York Civil Service Commission.

Adopted the 11th day of June, 2013, at a meeting of the Galway Town Board



I hereby certify that the Town of Galway is a local public employer within the meaning of Section 5 of the State Finance Law and that the adoption of the Plan has received all required approvals of any local governing body or officer and otherwise complies with local law.

Witnessed by:

Town of Galway

By:

Consent of The Deferred  
Compensation Board of the  
State of New York to  
Local Public Employer's  
Participation

By: \_\_\_\_\_

All ayes.

MOTION CARRIED

Board went into discussion with Highway Superintendent regarding purchase of truck. Board Members requested that Highway Superintendent get quotes from other manufacturers besides FORD. Will get information on gas vs. diesel.

**RESOLUTION #: 30-2013** – Prepayment on port-a-potty for Farmers Market. On a motion of Councilman Tillson, seconded by Councilman Arnold the following resolution was ADOPTED: AYES – 5 NAYS – 0

RESOLVED that the Galway Town Board authorize the Supervisor to cut a check in the amount of \$115.00 to DeJung Septic for prepayment of a port-a-potty at the Farmers Market to be charged to A7989.4 Rec. Fields.

All ayes.

MOTION CARRIED

**RESOLUTION #: 31-2013** – Authorization for electrical inspection to be done at pavilion. Councilman Lent felt an inspection of pavilion needed to be done before usage began. On a motion of Councilman Lent, seconded by Councilman Arnold the following resolution was ADOPTED: AYES – 5 NAYS – 0

RESOLVED that the Galway Town Board authorize the payment of up to \$100 for an electrical inspection of the pavilion to be charged to a7989.4 Rec. Fields.

All ayes.

MOTION CARRIED

Councilman Lent stated that the long term solution would be to remove generator and get standard commercial power. Board went into discussion regarding costs associated with running power. Councilwoman Sutch suggested looking into a grant to help with this issue.

**Other Business Questions from Residents - None**

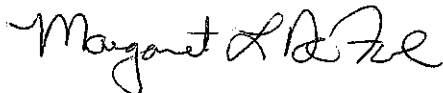
REGULAR MEETING, GALWAY TOWN BOARD, JUNE 11, 2013

Councilman Arnold made a motion, seconded by Councilwoman Sutch to adjourn the meeting at 8:55 p.m.

All ayes.

MOTION CARRIED

Respectfully submitted,



Margaret L. DeFoe  
Town Clerk