

AGENDA  
March 9, 2010

1. Call to Order
2. Roll Call
3. Pledge to the Flag
4. Approval of previous minutes. (Reg. Mtg. 2/9 and Spec. Mtg. 2/18)
5. Communications received.
6. Abstract of the Agenda
7. Privilege of the Floor
11. Reports:

Committee Reports

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

LIAISON REPORTS

|                 |         |
|-----------------|---------|
| Planning Board  | Tillson |
| Youth           | Topper  |
| ZBA             | Weed    |
| Senior Citizens | Arnold  |



## MOTIONS &amp; RESOLUTIONS

## 12. Budget Adjustments

None

## 13. Vouchers and Reports:

- Approval of General Abstract of Vouchers (A)
- Approval of General Abstract of Vouchers (B)
- Approval of Highway Abstract of Vouchers (DA)
- Approval of Highway Abstract of Vouchers (DB)
- Approval of Spec. Lighting District Abstract of Vouchers (SF)
- Approval of Supervisors Report.

## 14. Correction to Minutes of 2/9/10 resolution #7-2010 Budget Adjustment,

Reads: Increase DA5430.4 Machinery \$3000.

Decrease DA5430.2 Machinery &amp; Equipment \$3000.

The Resolution should read:

Increase DA5130.2 Machinery &amp; Equipment \$3000,

Decrease DA 5130.4 Machinery \$3000.

## 15. 4 Ton limit on Town Roads?

## 16. Authorization for the supervisor to sign the Ambulance contract.

17. Authorization for the Town to take part in the Hazardous waste day to take place at the Milton Town Highway Dept. August 21<sup>st</sup>. (\$6000. A8160.4 Waste P/U, money from the Fund Balance A909.)

18. Agreement for the Highway Supt. to expend the Highway monies that is in the Budget.

## 19. Adjourn

REGULAR MEETING  
MARCH 9, 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: B. Seaman; F. Seaman; H. Kopper; B. Ruman; M. Jazwinski; A. Seidel; L. Sanders; 10 students from Mr. Brook's Government Class; T. O'Brien, Dog Control Officer; T. Killeen, Assessor; P. Keeler, Historian; D. Costanzo, Highway Superintendent & M. DeFoe, Town Clerk.

Pledge to the Flag

A motion was made by Councilman Arnold, seconded by Councilman Tillson to approve the minutes of the February 9, 2010 & February 18, 2010 Meeting as submitted.

All ayes.

MOTION CARRIED

Communication -- Town Clerk stated that Board Members received copies of the following correspondence: Assessor's Report dated March 9, 2010; County Planning Department minutes for January; Mutual Aid Packet from Mike Jazwinski; Dog Control Officer was given copy of training opportunity for May 19<sup>th</sup> & 20<sup>th</sup>; Message from State Comptroller dated 2/19/10 & 2/24/10; NYS Department of State Monthly Update; Notification from Office of Community Renewal of seminars sponsored by NYS Division of Housing & Community Renewal/Housing Trust Fund Corp.; Planning & Zoning Chairman were given copies of feedback request from Saratoga County Planning Board on this year's conference; Secretary of State update on Federal Census activities; Supervisor was given copy of letter from Commissioners of Election advising that new voting machines will be used starting with September Primary Election, survey was given to Highway Superintendent regarding possible transport of election machines; Supervisor was given letter from Office of NYS Comptroller regarding electronic filing of information & Highway Department Report for February with schedule for March. The following correspondence was also received: Adirondack Trust Insurance 2010 renewal policies; Galway Ambulance Corps., Inc. 2010 Budget Development & Time Warner Cable correspondence dated 2/15/10, 2/19/10 & 3/1/10 advising of possible changes in service/stations.

Privilege of the Floor -- Betty Seaman questioned status on changes to Town Noise Ordinance. Supervisor Hargrave stated that he has been advised not to make changes to current law with reference to the noise ordinance; interpretation of law would be very hard to enforce. He has talked with Sheriff Bowen regarding the problem Seaman's are having with neighbor. Sheriff Bowen has agreed to increase patrol in that area if he is

## REGULAR MEETING, GALWAY TOWN BOARD, MARCH 9, 2010

advised of problem times. Betty stated that this was an every weekend occurrence; Supervisor Hargrave will advise Sheriff Bowen.

Supervisor Hargrave welcomed Mr. Brook's Government Class to tonight's meeting.

**COMMITTEE REPORTS:** **Assessor** – Nothing in addition to written report. **Public Safety** – No Report. **Property** – No Report. **Buildings & Grounds** – Councilman Topper stated that he & Superintendent, Costanzo were going to look at ball field shed to see what work needs to be done. Discussed use for materials already purchased by youth commission for repairs on shed. If Councilman Topper gets a list of unused materials to Town Clerk she will call to see what return policy is. **Public Affairs** – No Report. **Highway** – Highway Superintendent, Costanzo went over February Highway Maintenance Report: Sand & Plowed 12 days; Cut brush on Peaceable Street; Hauled gravel to shop from gravel pit & Hauled stone dust to shop from Palette. Schedule for March: Sand & Plow as needed; Cut brush town-wide & Post roads to 4-ton weight limit. Highway Superintendent stated that he got a call today from a woman interested in organizing a road side clean up with Cub Scout Troop. She was interested in Route 147. Dave had concerns with such a busy road for Cub Scout Troop. Town Clerk stated she gave a woman the number for the State Highway representative since it was a state highway. Dave discussed with Town Board & determined it would be up to Highway Superintendent if he wanted to allow a roadside clean up on a secondary road. Councilman Arnold advised how county handles roadside clean up. Superintendent, Costanzo stated he would also need resolution on expenditure of highway money. Councilman Topper gave Highway Superintendent packet on OSHA regulation with regard to new bucket truck. Went over some of the highlights that needed to be addressed. Superintendent, Costanzo stated inspection company is coming in to do the inspection on machine; this gentleman is also a certified trainer. Highway Department received OSHA training last year and will again this year. Log book is needed to document who is in lift; date; what they are doing; training. Department of Labor was in and they received a few minor violations. **Historian** - Phyllis Keeler stated that she attended the Saratoga County Deceased Veteran's Ceremony which honored Clifford Palmateer. Phyllis was interviewed by three Galway High School Students regarding Historian's duties. Work continues with organizing & filing of school history. She attended a History reception and lecture at Brookside of Galway Elders done by Patty Kay. Working on history quilt project for NYS to be displayed in NYS Museum of History. Every Historian has been asked to produce a quilt square for their town or village. Phyllis will do the Town quilt square using the Town Seal; Village square will be the Watering Trough & Village Sign. **County & Town** – Supervisor Hargrave stated on County level, Animal Shelter is moving along on schedule. County is working on renewing their contract for renting of part of Saratoga Hospital for Mental Health at a cost of \$210,000 per year. They also rent Friendship House at an additional cost of \$45,000 per year. The county would like to either buy/build a facility at some point to house these two facilities. Town level, looking at Ambulance Corporation going into separate tax district.

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**LIAISON REPORTS: Planning Board** – Councilman Tillson stated February workshop meeting was canceled due to weather, but there were no applications before Planning Board for February. **ZBA** – Councilman Weed stated that David & Kelly DeVall received approval for setback variance to construct a pole barn at their property located at 2474 Old Mill Road. **Senior Citizens** – No Report. **Youth** – Councilman Topper stated that Youth Commission has begun planning for Youth Appreciation Day. Summer program planning has begun; Councilman Topper suggested that they work on permit process so there are no fines this year. They are looking into the possibility of using Parkside “Y” for the swim program this year. Still interested in using ski slope in Johnstown for winter skiing activity next year. Rifle Team continues to do well. Youth wrestling seems to really be taking off; this is youth K thru 3<sup>rd</sup> grade.

Councilman Topper made a motion, seconded by Councilman Tillson to approve the General Abstract of Vouchers (A) dated 2/10/10 thru 3/4/10 for a total of \$19,728.16.

All ayes.

MOTION CARRIED

Councilman Weed made a motion, seconded by Councilman Topper to approve the General Abstract of Vouchers (B) dated 2/10/10 thru 3/4/10 for a total of \$7,760.92.

All ayes.

MOTION CARRIED

Councilman Arnold made a motion, seconded by Councilman Weed to approve the Highway Abstract of Voucher (DA) dated 2/10/10 thru 3/4/10 for a total of \$40,331.03.

All ayes.

MOTION CARRIED

Councilman Tillson made a motion, seconded by Councilman Arnold to approve the Highway Abstract of Vouchers (DB) dated 2/10/10 thru 3/4/10 for a total of \$202.61.

All ayes.

MOTION CARRIED

Councilman Topper made a motion, seconded by Councilman Weed to approve the Special Lighting District Abstract of Vouchers (SL) dated 2/10/10 thru 3/4/10 for a total of \$142.82.

All ayes.

MOTION CARRIED

Councilman Arnold made a motion, seconded by Councilman Topper to approve the Supervisor’s Operating Statement for the period ending 2/28/10.

All ayes.

MOTION CARRIED

Councilman Topper explained to Government Class what the Abstract of Vouchers were.

**RESOLUTION # 13-2010** – Correction to Resolution # 7-2010 Budget Adjustments.

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

RESOLVED that the Galway Town Board Correct Resolution # 7-2010:

|                 |          |                       |            |
|-----------------|----------|-----------------------|------------|
| Reads: Increase | DA5430.4 | Machinery             | \$3,000.00 |
| Decrease        | DA5430.2 | Machinery & Equipment | \$3,000.00 |

The Resolution should Read:

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|          |          |                       |            |
|----------|----------|-----------------------|------------|
| Increase | DA5130.2 | Machinery & Equipment | \$3,000.00 |
| Decrease | DA5130.4 | Machinery             | \$3,000.00 |

All ayes. MOTION CARRIED

**RESOLUTION # 14-2010** – Posting of Roads to seasonal weight limits. On a motion of Councilman Arnold, seconded by Councilman Topper the following resolution was ADOPTED: AYES – 5 NAYS – 0

RESOLVED that the Galway Town Board authorize that effective immediately, all Town roads are subject to temporary closure to all vehicles with a gross weight in excess of four (4) tons. Such closure shall take effect upon the erection of signs by the Highway Superintendent on the section of highway for which such traffic is excluded and continues until such time as conditions shall permit opening. Further notice is hereby given that any person or persons violating this order shall be subject to punishment as provided in Section 1800 of the Vehicle & Traffic law. Clerk will submit legal notice, Temporary Order Limiting Roads to 4 Ton on Town of Galway Roads, to The Daily Gazette for immediate release.

All ayes.

MOTION CARRIED

**RESOLUTION # 15-2010** – Authorization for Supervisor to sign contract with Ambulance Corp. 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 the Supervisor to sign the Ambulance contract in the amount of \$51,700.00 to be charged to A4540.4 Ambulance.

All ayes.

MOTION CARRIED

**RESOLUTION # 16-2010** – Authorization for the Town to participate in the Hazardous Waste Day to be held at the Milton Highway Department on August 21, 2010. On a motion of Councilman Arnold, seconded by Councilman Topper the following resolution was ADOPTED: AYES – 5 NAYS – 0

RESOLVED that the Galway Town Board authorize the Town to participate in the Hazardous Waste Day to be held at the Town of Milton Highway Department on August 21, 2010 in an amount not to exceed \$6,000.00 to be charged to A8160.4 Waste Pick Up.

All ayes.

MOTION CARRIED

**RESOLUTION # 17-2010** - Expenditure of Highway Moneys. On a motion of Councilman Tillson, seconded by Councilman Weed the following resolution was ADOPTED: AYES – 5 NAYS – 0

RESOLVED that the Galway Town Board approve the Highway Expenditure Agreement in the amount of \$543,500.00 in maintenance to be set aside to be expended for primary work and general repairs upon 58.69 miles of town highways, including sluices, culverts and bridges having a span of less than five feet and boardwalks or the renewals thereof for the year 2010.

All ayes.

MOTION CARRIED

**RESOLUTION # 18-2010** – Set date for vote on Ambulance District Proposal. Supervisor Hargrave explained to audience Ambulance request to become District and

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who could vote on proposition. Supervisor Hargrave has received the list of registered voters from the county. Real Property Tax Department will be providing an alphabetical listing of property owners. Only property owners that reside in town are allowed to vote on proposition according to Town Law. There are 16 permanent absentee ballots in Town; they will need to be checked for ownership/residency. Absentee ballot would need to be mailed to these residents. People that disputed their ability to vote on proposition would be allowed to do paper ballot and residency/ownership would be verified. Paper ballots would also be allowed for residents that are not on the voter registration list but fall under the residency/ownership requirement. Election machines will be used for this election. Supervisor Hargrave gave Beth Ruman information from Association of Towns to help Attorney Sutton prepare Legal Notice for vote. Board of Election is not involved in this election. Three inspectors from each party will be required along with custodians. Normal salary for inspectors is \$100 & custodian's \$75. Salaries for inspector's & custodians will be provided by Ambulance Corp. They will also provide a meal for inspector's on election day. Attorney Horigan has already prepared the wording for actual ballot proposition. Once legal advertisement is prepared by Attorney Sutton it will be forwarded to Attorney Horigan for his approval. On a motion of Councilman Tillson, seconded by Councilman Topper the following resolution was ADOPTED BY ROLL CALL VOTE:

Supervisor George Hargrave – AYE

Councilman Michael Tillson – AYE

Councilman William Topper – AYE

Councilman George Weed – AYE

Councilman Fred Arnold – AYE

RESOLVED that the Galway Town Board approve the following legal notice as written by Ambulance Corp. Attorney, John Sutton and approved by Town Attorney, Timothy Horigan:

PLEASE TAKE NOTICE that a Special Election will be held on April 28, 2010, at the Galway Town Hall, located at 5910 Sacandaga Road, Galway, New York, between the hours of 12 noon and 9 p.m. for the purpose of approving the creation of an Ambulance District and setting a maximum amount of tax to be raised therefore.

The voting will be limited to those individuals who have resided in the Town of Galway for thirty (30) days preceding the special election; and either

- a) own an interest in taxable real property situated within the borders of the Town of Galway, or
- b) is an officer, agent or authorized representative of a corporation which owns an interest in taxable real property situated within the borders of such Town.

Voters should bring a 2010 Town Tax Bill with their name for convenience of qualification.

At such Special Election the following Proposition is to be voted upon:



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That a Special Ambulance District be created for the Town of Galway and that the maximum amount to be raised by real estate taxes and expended annually for ambulance and emergency services shall be One Hundred Eighty-Eight Thousand, Six Hundred Twenty-Five Dollars (\$188,625.00).

The following documents are available at the Office of the Town Clerk during regular business hours and (on the Town of Galway website at: [www.townofgalway.org](http://www.townofgalway.org))

- i) Plan, Report and map filed in the Office of the Town Clerk describing the proposed Special Ambulance District;
- ii) The resolution of the Town Board bringing on the referendum (passed 2/9/10 and amended 2/18/10);
- iii) Information concerning eligibility to vote including instructions if you believe that you are eligible to vote but your name does not appear on a 2010 Town Tax Bill.

BY ORDER OF THE TOWN BOARD

Margaret L. DeFoe

Town Clerk

All ayes.

MOTION CARRIED

Supervisor Hargrave asked if there were any question from the audience.

Dan Pitman from Government Class questioned if Town Board discussed Abstract of Vouchers prior to meeting? Supervisor Hargrave stated that Board Members review Abstracts prior to meeting. Town Clerk stated that Abstract of Vouchers are available for Town Board to review the Friday before meeting.

Phyllis Keeler questioned what period of time NYS Retirement System was looking for regarding time worked? Supervisor Hargrave stated that they are looking for employees to keep track of hours worked for the first three months of year. Town Board then has to pass a resolution attesting to the hours worked for each employee. Town will then electronically forward this information to State.

Councilman Topper questioned if there was any input from the Town Board on the draft proposal he created for Galway Employee's regarding Policy on time off? Supervisor Hargrave stated that a two member committee was formed by Town Board consisting of Councilman Topper & Councilman Weed to address the creation of a policy for employees. Supervisor Hargrave thought that this information would come forward with the rest of the proposal regarding employee's from committee. Councilman Topper just wanted to make sure they were all on the same page regarding time off. Department heads will be working on job descriptions for hourly employees. Supervisor Hargrave explained how important it was to stay within budgeted hours for department staff. Councilman Topper stated that he also just handed out to department heads an employee job description with duties & hours worked for staff.

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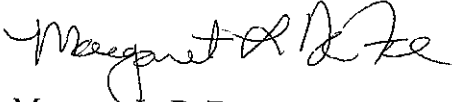
Supervisor Hargrave stated that legal advertisement for Ambulance vote should be in newspaper three times. He will check with Association of Towns for their suggestions regarding placement of advertisement and advise clerk. Information on vote will also be placed in newsletter.

Councilman Topper made a motion, seconded by Councilman Weed to adjourn the meeting at 8:33 p.m.

All ayes.

MOTION CARRIED

Respectfully submitted,



Margaret L. DeFoe  
Town Clerk