

Town of Galen
Town Council Monthly Meeting Minutes
Monday –April 14, 2025 – at 6:00 PM
Clyde Municipal Building Board Room

Present; Supervisor Les Carr Jr.

Council Members; Mike Record, Jeff Montemorano, Nicole Malbone, Absent: Sarah Salerno
Deputy Town Clerk; Holley Congdon-Matias, HW Supt. Andy Porter

Attending: None

Pledge of Allegiance

The Town Council meeting was called to order by Supervisor Carr at 6:12 PM.

Scheduled Speaker – No scheduled speakers

Public Comment Period – No public Comment

Assessment

Councilwoman Malbone asked questions regarding Grievance Day-specifically how the Assessor (Sturgill) is announcing grievance day date/hours. Councilmen Montemorano commented that it is usually the fourth Thursday of the (this) month, but that most people are unaware of that. Supervisor Carr was going to inquire with Assessor Sturgill to see how Grievance Day was going to be announced to the public.

Motion by; Record/ 2nd by; Montemorano to acknowledge the Assessment report submitted by Kayla Sturgill for the month of March.

Ayes; Carr Jr., Montemorano, Record, Malbone

Nays; None

Councilman Montemorano brought up that Ken Anstee and Jim (James) Kalinski need to attend BAR (Board of Assessment Review) training and will need to be notified. Supervisor Carr to notify them and include Jr. Leisenring, as he might want to attend as well.

Mid Town Lieu Tax Contract (no updates). It was asked by Supervisor Carr if they wanted to consider a 1-year contract. Discussion between board about how previous contract was negotiated including whether they still were required to have contract as most only go on for so many years and these have been going on for over 20 years for this property/owner. Supervisor Carr to follow up with Steve Groat as to gain information on how contract was negotiated in the past.

Motion by; Montemorano/ 2nd by; Malbone to move on Mid Town Lieu Tax Contract.

Ayes; Carr Jr., Montemorano, Record, Malbone

Nays; None

Cemetery and Animal Control

No animal Control business.

Supervisor Carr announced the Public Hearing for Lock Berlin Cemetery went well and was finished being turned over to the newly created board.

Motion by; Malbone/ 2nd by; Record to move on Lock Berlin Cemetery update

Ayes; Carr Jr., Montemorano, Record, Malbone

Nays; None

Collateral Security Reports –M&T– March 2025

Motion by; Montemorano/2nd by; Malborne to acknowledge the collateral report.

Ayes; Carr Jr., Montemorano, Record, Malbone

Nays; None

Correspondence

Wayne County Human Resource Dept. - HELP

Clyde-Galen Fire Department – Request for Annual Funding

Board agreement to donate \$500.00 to Clyde/Galen Fire Dept. Annual Funding/Band

Motion by; Montemorano/2nd by; Malborne to move on \$500.00 Band Donation for Clyde/Galen Fire Dept.

Ayes; Carr Jr., Montemorano, Record, Malbone

Nays; None

Councilman Montemorano did suggest adding another budget line (in next budget year and in addition to band concert line) for community involvement/request, with a set dollar amount per request, so that multiply request could be answered and eliminate the need for further determination of which requests were more worthy to receive the funds. Regardless of the amount that is set aside, once funds were depleted for the budget year, no more request would be accepted.

Went back to Mid Town Contract discussion. It was discussed how data from the owner (Nicoletta) needed to be provided, whether that was on the terms of a licensed appraisal, or submitting data that showed why the contract should be lowered. Need to have more facts from Mr. Nicoletta to support lower contract before further decisions could be made.

NYS Division of Cemeteries – Spring Clean Up Day

Discussion of board when this is (April 26, 2025), and it is too close to participate in event.

Financials -

No financial reports submitted.

Highway and Buildings

HW Superintendent Porter here to present his report for March.

- 5 plow trips were made in the month of March
- All roads have been swept of sand and salt with the exception of the Lock Berlin hamlet which Wayne County highway department is going to do for us with their vacuum truck
- The new tractor has been delivered and was immediately put into service performing plow damage repair on roadsides throughout the town. The crew has completed all damage repairs.
- The crew made its way through all roads repairing potholes with cold patch, a few spots were left awaiting hot mix plants to open to make some larger repairs.
- Several repairs have been made to the force feed loader in preparation for shoulder cutting in the upcoming season.
- Wolcott NAPA held an evening class on electrical systems diagnostics and repair which employee Blake Thoms attended.

Motion by; Record/2nd by; Montemorano to accept March report presented by HW Superintendent Porter
 Ayes; Carr Jr., Montemorano, Record, Malbone
 Nays; None

Justice

Motion by; Malbone/2nd by; Record to accept the two justice reports submitted by that department for the month of March.
 Ayes; Carr Jr., Montemorano, Record, Malbone
 Nays; None

Resolution No. 5-2025 The Town of Galen Board acknowledges the annual audit report for the Town of Galen Justice records for 2024 for Justice Carr and Justice Heald. The audit was completed February 28, 2025 by Atette & Ingersoll, CPAs, PC. The report indicated that the records of both justices were found to be adequate to fulfill the record keeping requirements according to New York State Laws.

Motion by; Record/2nd by; Malbone to adopt Resolution No. 5-2025 independent Justice Audit for 2024.
 Ayes; Carr Jr., Montemorano, Record, Malbone
 Nays; None

Landfill

Landfill Meeting Minutes for April 7, 2025

Motion by; Record/ 2nd by; Montemorano to accept the minutes as submitted.
 Ayes; Carr Jr., Montemorano, Record, Malbone
 Nays; None

Minutes

Galen Board Meeting Minutes –March 10, 2025

Motion by; Record/ 2nd by; Montemorano to accept the minutes as submitted.
Ayes; Carr Jr., Montemorano, Record, Malbone
Nays; None

Other information for this meeting;
TOWN OF GALEN RESOLUTION NO. 6-2025

**A RESOLUTION FOR THE TOWN OF GALEN FREEDOM OF
INFORMATION LAW POLICY.**

WHEREAS, Public Officers Law, Article 6, known as the Freedom of Information Law (“FOIL”) has been amended to require notice to public employees when a FOIL request is made for an employee’s disciplinary records; and

WHEREAS, the Town desires to update its FOIL policy accordingly;

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Galen, Wayne County, New York, as follows:

1. As used in this resolution (a) the term "agency" means (1) the Town of Galen and its departments, divisions, offices, bureaus, and boards or commissions created or appointed by the Town Board, and (2) any special or improvement district of the Town, other than a library district, a fire district, a district corporation or district having a separately elected governing body; (b) the term "record" shall have the same meaning as set forth in subdivision 4 of Section 86 of the Public Officers Law.
2. The following person is hereby designated as Records Access Officer for the Agency: The Town Clerk, 6 South Park St. Clyde, New York 14413.
3. The Records Access Officer shall be responsible for assuring that Agency personnel
(a) comply with the requirements and provisions of the Freedom of Information Law and with this resolution in providing access to Agency records; (b) maintain an up- to-date subject matter list of records, update it twice a year and make it available for public inspection and copying; (c) explain in writing reasons for denial of access and advise the requestor of right to appeal, setting forth name, title, business address and telephone of persons to whom appeal may be taken; (d) upon request, calculate in advance the total cost of copies; and (e) permit the requester to make his or her own copy, without damaging the record and without relinquishing custody of the same.

4. (a) Records of the Agency are located at the Town Offices, 6 South Park Street, Clyde, New York 14413; (b) all requests for public access to records shall be accepted and records produced during all hours that the Town Offices are regularly open for business.
5. A request to inspect or for a copy of a record shall reasonably describe the same.
6. In the event that a FOIL request is made for an employee's disciplinary records, the employee will be notified of such request within 3 business days and provided a copy of the request. The Records Access Officer will review the request and provide the employee a copy (via email) of the anticipated response to be produced at least 7 days prior to the anticipated release of such records. Nothing in this policy shall prevent the disclosure of records under FOIL if production is required by law.
7. The Attorney for the Town is hereby designated to hear and determine appeals from a denial of access to Agency records.
8. Unless another fee is prescribed by state law, the fee for (a) photocopying a record not exceeding 9 by 14 inches shall be \$0.25 per page; (b) other records, shall be the actual cost of reproduction excluding fixed costs such as salary of employee; and (c) a typed or handwritten transcript shall consist of the actual clerical time involved in making the transcript.
9. A copy of this resolution shall be posted by the Town Clerk on the sign board maintained pursuant to subdivision 6 of Section 30 of the Town Law.
10. This resolution shall take effect immediately and shall supersede all resolutions heretofore adopted by this Town Board in regard to the Freedom of Information Law.

It was mentioned that there was a typo in section 3. Supervisor Carr said he would inform Clerk Lancaster about the error and have it corrected.

Motion by; Malbone/ 2nd by; Record

Ayes; Carr Jr., Montemorano, Record, Malbone

Nays; None

The Resolution was thereupon declared duly adopted on April 14, 2025.

Revenues Received – Wayne County Treasurer – Feb Snow & Ice - \$81,038.26
Charter Communications – Franchise Fee - \$3,605.53

Supervisor

Supervisor Carr announced that he would sign for the sale of the Lock Berlin Schoolhouse with the attorney if the board agreed.

Motion by; Record/ 2nd Malbone by; to accept the Supervisor's report as submitted for the month of March and signing of sale of Lock Berlin Schoolhouse.

Ayes; Carr Jr., Montemorano, Record, Malbone

Nays; None

Town Clerk

Motion by; Montemorano/2nd by; Record to accept the Town Clerk's report as submitted for the month of March and Tax Collection Report for 2025.

Ayes; Carr Jr., Montemorano, Record, Record

Nays; None

Board discussion turned back to Mid Town Contract, questioning whether Windy Hill is comparable or not: number of units, residents (Senior vs. All-aged), property, etc

Board discussed Charter Communications – Franchise Fee. Making sure Town if being fiscally responsible in how this is charged to our users/residents.

Spoke about Annual Town Clerk Conference at the end of the month, that Norma and I (Holley) are attending. Told board about the \$500.00 and \$250.00 scholarships I (Holley) received toward the Conference.

Motion by; Montemorano/2nd by; Malbone

Ayes; Carr Jr., Montemorano, Record, Malbone

Nays; None

Zoning

Motion by; Record /2nd by; Montemorano to accept the Zoning report as submitted for the month of March.

Ayes; Carr Jr., Montemorano, Record, Malbone

Nays; None

Supervisor Carr alerted the board that a FOIL request was presented by Mrs. Votra today (04/14/25). Councilwoman Malbone inquired if the Code Enforcer was close to updating zoning laws. Both Councilwoman Malbone and Councilman Record mentioned they were being presented with questions from the public of zoning/property issues all around. It was determined these inquiries need to be requested in writing by the resident(s) to the Town or Village. Suggestions were made for Code/Zone Enforcer Sawtelle to clearly define specific, if not all zoning laws. Town of Galen/Village of Clyde

Residential Clean-up discussed. Supervisor Carr said he would update the board on disposal dumpster cost when he receives all estimates, still awaiting a few. Spoke about tire stipulation-board clarified that automotive and smaller tires would be excepted, not to limit, but define what will be excepted. Disclaimer stating that the "Town reserves the right to refuse any items" was agreed upon by the board.

Review and Approve Warrants –March 2025

General Warrant: V# 68 – 87 in the amount of \$44,883.68

Highway Warrant: V# 60 - 77 in the amount of \$21,206.31

Landfill Warrant: V# 84 in the amount of \$8,643.78

Motion by; Malbone/ 2nd Record to approve payment for the (3) warrants

Ayes; Carr Jr., Montemorano, Record, Malbone

Nays; None

It was purposed that the board meeting time return to 7:00 pm for the summer/fall. This will begin next month for the May monthly board meeting.

Motion by; Nicole/2nd by; Record to accept motion for Monthly Town Council Board Meetings (May thru October) to begin at 7:00 pm

Ayes; Carr Jr., Montemorano, Record, Malbone

Nays; None

With no further business before the board a **Motion** made by Record/2nd by Malbone to adjourn the meeting at 7:32pm

Ayes; Carr Jr., Montemorano, Record, Malbone

Nays; None

Respectfully submitted,

Holley Congdon-Matias- Galen Deputy Clerk