

TOWN OF GALLATIN  
REGULAR MEETING  
JANUARY 12, 2012

- I. SUPERVISOR GARRICK CALLED THE MEETING TO ORDER AT 6:30 PM.
- II. SUPERVISOR GARRICK, COUNCILMAN REILLY, COUNCILMAN GALM, COUNCILMAN COONS AND COUNCILMAN PATERSON WERE ALL PRESENT.
- III. SALUTE TO THE FLAG.  
  
RESIDENT DEPUTY SHERIFF PROGRAM  
LT. ANDREWS AND DEPUTE MERANTE GAVE AN OVERVIEW OF THE RESIDENT DEPUTY PROGRAM. INFORMATION SHEET ATTACHED. DEPUTY PROPER IS THE RESIDENT DEPUTY SHERIFF FOR GALLATIN. THE PROGRAM STRESSES COMMUNITY INVOLVEMENT.
- IV. REVIEW OF THE DECEMBER 2011 AND JANUARY 2012 BILLS. SUPERVISOR GARRICK READ THE BILLS. COUNCILMAN REILLY ASKED IF MORE ORDERING ONLINE SHOULD BE DONE TO SAVE TIME AND TRAVEL. THE TOWN ONLY HAS A STAPLES AND SAM'S CLUB CREDIT CARD ANY ORDERING THAT WOULD REQUIRE A CREDIT CARD WOULD BE DIFFICULT.
- V. SUPERVISOR GARRICK READ THE MINUTES. ON A MOTION BY COUNCILMAN REILLY SECONDED BY COUNCILMAN COONS AND CARRIED UNANIMOUSLY THE DECEMBER 13, 2011 MINUTES WERE ACCEPTED.
- VI. SUPERVISORS FINANCIAL REPORT- THERE WAS NO SUPERVISORS FINANCIAL REPORT.
- VII. THE TOWN CLERK REPORT WAS READ AND FILED
- VIII. COMMITTEE REPORTS
  - A. OFFICE OF THE AGING- NO MEETING UNTIL APRIL 2012.
  - B. COLUMBIA COUNTY REPORT- THE RESOLUTION TO APPOINT A FIRE COMMISSIONER WAS TABLED.
  - C. PLANNING- READ AND FILED, ATTACHED.
  - D. ZONING- NO MEETING OF ZONING BOARD.
  - E. HIGHWAY- READ AND FILED. SUPERVISOR GARRICK ASKED HIGHWAY SUPERINTENDANT COONS TO BE MORE SPECIFIC IN HIS MONTHLY REPORT AS TO THE PERCENTAGE OF TIME SPENT ON EACH TASK. THE BOARD ALSO REQUESTED A REPORT ON SPRING PROJECTS.
  - F. ZEO/BUILDING INSPECTOR- READ AND FILED, ATTACHED.
  - G. ASSESSOR- READ AND FILED, ATTACHED.
  - H. BUILDINGS AND GROUNDS- 1. FEE SCHEDULE FOR WALTER PRIDE-ARCHITECT, ATTACHED. ON A MOTION BY COUNCILMAN REILLY SECONDED BY COUNCILMAN GALM AND CARRIED UNANIMOUSLY THE HOURLY RATE WAS ACCEPTED FOR JOBS UNDER \$90,000 ONLY.

TOWN OF GALLATIN  
REGULAR MEETING  
JANUARY 12, 2012  
PAGE 4

2. ON A MOTION BY COUNCILMAN GALM SECONDED BY COUNCILMAN REILLY AND CARRIED UNANIMOUSLY ARACE ELECTRONICS WAS APPROVED TO DO THE MAINTENANCE ON THE GENERATORS AT THE TOWN HALL AND COURT FOR \$225 EACH.
3. SUBURBAN PROPANE WILL BE CONTACTED ON A QUOTE TO SERVICE THE COURT HEATING SYSTEM.

I. HISTORIAN- ATTACHED.

VIII. CORRESPONDENCE: 1. PINE PLAINS CENTRAL SCHOOL ALERT NOW NOTIFICATION SYSTEM, ATTACHED.

IX. PUBLIC COMMENT: ANNE FECCI COMMENTED THAT THE WASTE MANAGEMENT TRUCKS WERE "SPEWING" TRASH ON THE ROADS. SUPERVISOR GARRICK WILL CONTACT WASTE MANAGEMENT.

X. ON A MOTION BY COUNCILMAN GALM SECONDED BY COUNCILMAN REILLY AND CARRIED UNANIMOUSLY THE BILLS WERE PAID IN THE FOLLOWING AMOUNTS. JUSTICE DENENBERG VOUCHER AND MORRIS ASSOCIATES VOUCHERS WERE HELD FOR REVIEW.

GENERAL VOUCHERS	265-286	\$ 5,114.41
	1-15	\$ 8,398.21
HIGHWAY VOUCHERS	121-130	\$8,398.21
	1	\$1,814.28

XI. UNFINISHED BUSINESS. TOWN ATTORNEY WARREN REPLANSKY LEAD THE BOARD THROUGH THE PASSERI COMPLAINT. ON DECEMBER 6, 2000, MR. DOUG PASSERI PURCHASED 212.30 ACRES ON CHURCH RD. MR. PASSERI IS ASKING THE TOWN BOARD TO REVOKE THE QUALIFIED ABANDONMENT OF CHURCH RD AND REOPEN IT AS A TOWN ROAD. ATTORNEY REPLANSKY CAUTIONED THE BOARD IF THIS WAS DONE, THE ROAD WOULD HAVE TO BE BROUGHT UP TO TOWN SPECS. HE WENT ON TO DISCUSS THE WAYS A ROAD COULD BE ABANDONED.

1. BY DISCONTINUED USE SECT 171 OF HIGHWAY LAW.

2. SECT 205 OF HIGHWAY LAW. A ROAD THAT HAS NOT BEEN USED FOR 6 YEARS SHALL CEASE TO BE A HIGHWAY. A CERTIFICATE OF ABANDONMENT MUST BE FILED WITH THE TOWN CLERK.

3. SECTION 205.2 HIGHWAY LAW. QUALIFIED ABANDONMENT, A ROAD THAT HAS NOT BEEN TRAVELLED FOR 2 YEARS. STATUTE SAYS THAT A TOWN CAN REVOKE ABANDONMENT AND REOPEN A ROAD.

THERE IS NO DOCUMENTATION THAT THE PORTION OF CHURCH ROAD IN QUESTION WAS ABANDONED IN 1928 BY QUALIFIED ABANDONMENT. AN AFFIDAVIT BY JOHN PATERSON STATED THAT SEVERAL ROADS WERE ABANDONED IN 1928.

HAVING NO CERTIFICATE OF ABANDONMENT IS OF NO CONSEQUENCE. WILLS vs. TOWN OF ORLEANS.

COUNCILMAN GALM ASKED ABOUT A ROW, THIS IS NOT A DUTY OF THE TOWN BOARD STATED ATTORNEY REPLANSKY; IT IS A COURT OF LAW ISSUE.

TOWN OF GALLATIN  
REGULAR MEETING  
JANUARY 12, 2012  
PAGE 5

UNFINISHED (CON'T)

IN AN AUGUST 2001 THERE WAS A COURT CASE ON THE ISSUE OF CHURCH ROAD TO BE OPENED AS A PUBLIC ROAD. THE ACTION WAS DISMISSED. IN A LAWSUIT AGAINST BRODY IN 2008 AN ATTEMPT TO DECLARE AN EASEMENT OVER THE BRODY PROPERTY WAS REJECTED BY THE COURT, NO EASEMENT WAS EXPRESSED OR IMPLIED. IF THE TOWN WANTED TO TAKE OVER THE ROAD IT WOULD HAVE TO BE BY PURCHASE.

COUNCILMAN PATERSON QUESTIONED IF THE PASSERI PROPERTY WAS LANDLOCKED, THIS IS NOT FOR THE TOWN BOARD TO DETERMINE, ACCORDING TO ATTORNEY REPLANSKY.

MR. PASSERI CAN NOT BRING THE 2001 SUIT AGAINST THE TOWN AGAIN BECAUSE OF THE STATUTE OF LIMITATIONS.

THE TOWN BOARD HAS NO DESIRE TO OPEN THE ROAD. NO MAPS SHOW THE SECTION OF CHURCH TO BE A TOWN ROAD AFTER 1930.

ON A MOTION BY COUNCILMAN REILLY SECONDED BY COUNCILMAN COONS AND CARRIED UNANIMOUSLY, THE BOARD AUTHORIZED ATTORNEY REPLANSKY TO RESPOND TO THE PETITIONER.

SUPERVISOR GARRICK---YES

COUNCILMAN REILLY---YES

COUNCILMAN GALM----YES

COUNCILMAN COONS---YES

COUNCILMAN PATERSON---YES

MR. PASSERI THEN STATED ALL HE WAS ASKING FOR THE TOWN ASSISTANCE IN CLARIFYING THE ROAD CLOSURE SO THAT THERE COULD BE SAFE PASSAGE. THE BOARD REITERATED THAT ATTORNEY REPLANSKY WOULD RESPOND TO MR. PASSERI IN A LETTER.

- XII. NEW BUSINESS- COUNCILMAN GALM WILL LOOK INTO A CABINET FOR THE AED NOT TO EXCEED \$300. MOTION BY COUNCILMAN REILLY SECONDED BY COUNCILMAN COONS AND CARRIED UNANIMOUSLY.
- XIII. PUBLIC COMMENT- NO
- XIV. ON A MOTION BY COUNCILMAN REILLY SECONDED BY COUNCILMAN COONS AND CARRIED UNANIMOUSLY, THE MEETING WAS ADJOURNED AT 9:00PM.