

AGENDA**TOWN OF GALWAY
TOWN BOARD MEETING****July 17, 2018**

Call to order – Deputy Supervisor Arnold

Roll Call – Town Clerk DeFoe

Pledge to the flag – All

Moment of Silence for Town Supervisor, Paul Lent and prior Highway Superintendent, Earl Keeler

Approval of the minutes for the meeting held June 12, 2018

Communications Received – Town Clerk DeFoeReports of CommitteesReports of Department HeadsBudget

Approval of Abstract Fund A

Approval of Abstract Fund B

Approval of Abstract Fund DA

Approval of Abstract Fund DB

Approval of Abstract Fund SL

Supervisor's Report

Budget Amendments

Resolutions

#1 (Capital Fund Balance Transfer for the DA)

Decrease DA Fund Balance \$132,617.68 (2017 Year End Balance)

Increase DA 5130.2 Machinery EQ \$132,617.68

#2 (Replace funds moved at June 12, 2018 meeting)

Increase DA 9060.8 Medical Insurance \$10,000

Decrease DA 5130.2 Machinery EQ \$10,000

#3 (Balance of funds left from Res #25-2018 FEMA funds that were not allotted to an account)

Increase DA 5142.4 Snow Removal CE \$ 6,786

#4 (PAVE NY & EWR Funds)

Increase DB 3501.4 State Aid/CHIPS \$ 58,399.69

Increase DB 5110.4 General Repairs CE \$ 58,399.69

Other Business

Privilege of the Floor

Next Meeting Date

August 14, 2018

Adjourn

subdivision and site plan review/special use permit to build a Dollar General Retail Store on property located at the corner of Route 29 & 147 & and amended contract between Town and GEMS. Board Members received notification from FEMA of a meeting to be held on 7/27/18 from 9-11:30 a.m. regarding Sacandaga Watershed Discovery; Regional Charitable Reserve Funds Training; Budget Amendments; June Highway Report with schedule for July & Building Department Report for July.

COMMITTEE/LIAISON/DEPARTMENT HEAD REPORTS: **Highway** – Dave Costanzo, Highway Superintendent stated for June they cut brush & overhead limbs on Armer, Birchton, Bliss & Crane Road; Assisted County, Greenfield, Halfmoon & Milton with paving; hauled blacktop millings from school to shop and mowed ROW's, Town Hall & Ball Fields. For July they will be putting millings on West Galway Road; Grade Rocky Ridge Road; Assist County, Greenfield & Milton; Pave Jersey Hill Road, Shaw Road & West Line Road; Mow ROW's, Town Hall & Ball Field; they dug out the cat tails outside front of Town Hall, did drainage and are working on filling area in to make is easy to mow. **Youth Commission** – Donna Sowle, Youth Commission Chair stated Family Fun Day was held June 16th with approximately 400 people in attendance. Donna thanked Highway Department, Town Clerk, Councilwoman Grant & Bookkeeper for their help. Summer Rec is being held behind bus garage from July 9th to August 3rd. "Cool Out of School" Prevention Program is working with them and there is a summer reading program. Free learn to swim is underway with two, two weeks sessions being offered from 3:30-4:30 p.m. **Building Department** – Chet stated that Board needed to address a fee schedule for extension of building permit beyond one year. He suggested a six-month grace period and then an additional six months for a \$50 fee. Board discussed this and determined that they would research further before making a determination on fee schedule. Town Clerk stated that her office had contacted Towns of similar size within county and will forward copies to all Board Members for their review. **Assessor** – Councilman Smith stated that Assessor had indicated reval project was on schedule.

Councilman Smith made a motion, seconded by Councilwoman Grant to approve the General Abstract of Vouchers (A) dated 06/01/18 thru 06/30/18 for a total of \$18,361.60.

All ayes.

MOTION CARRIED

Councilwoman Grant made a motion, seconded by Councilman Smith to approve the General Abstract of Vouchers (B) dated 06/01/18 thru 06/30/18 for a total of \$22,595.68.

All ayes.

MOTION CARRIED

Councilman Smith made a motion, seconded by Councilwoman Grant to approve the Highway Abstract of Vouchers (DA) dated 06/01/18 thru 06/30/18 for a total of \$18,329.03.

All ayes.

MOTION CARRIED

Councilwoman Grant made a motion, seconded by Councilman Smith to approve the Highway Abstract of Vouchers (DB) dated 06/01/18 thru 06/30/18 for a total of \$19,740.47.

All ayes.

MOTION CARRIED

Councilman Smith made a motion, seconded by Councilwoman Grant to approve the Special Lighting District Abstract of Vouchers (SL) dated 06/01/18 thru 06/30/18 for a total of \$91.98.

All ayes.

MOTION CARRIED

Councilman Smith made a motion, seconded by Councilwoman Grant to approve the Supervisor's Operating Statement for the period ending 06/30/2018.

All ayes.

MOTION CARRIED

RESOLUTION #: 32-2018- Budget Amendments. On a motion of Councilman Smith, seconded by Councilwoman Grant the following resolution was ADOPTED:

AYES – 3 NAYS – 0

RESOLVED that the Galway Town Board approve the following Budget

Amendments:

Increase	A1680.2	\$ 3,000.00	Data Processing EQ
Decrease	A1990.4	\$ 3,000.00	Contingency

Increase	DA5130.2	\$15,000.00	Machinery EQ
Decrease	DA5142.1	\$15,000.00	Snow Removal PS

(decrease in DA5142.1 is temporary until transfer is made from A or from fund balance)

Increase	DA5142.4	\$ 6,786.00	Snow Removal
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(Due to increase in FEMA funds received previously see RES#25-2018)

Increase	DB3501.4	\$58,399.69	State Aid/CHIPS
Increase	DB5110.4	\$58,399.69	General Repairs CE

All ayes.

MOTION CARRIED

RESOLUTION #: 33-2018 – Continuation of Lendl Farm Grant Application with NYS Department of Agriculture & Markets. **Jason Kemper** from Saratoga County Planning Department went over the status of grant process advising that the County awarded this project \$37,000. It now needs to go to the second phase of grant process with NYS Department of Agriculture & Markets. On a motion of Councilman Smith, seconded by Councilwoman Grant the following resolution was ADOPTED BY ROLL CALL VOTE:

Supervisor Fred Arnold – AYE Councilman Michael Smith – AYE
Councilwoman JoAnne Grant – AYE

Town of Galway

A Resolution for Endorsement of a Conservation Easement Lendl Farm

WHEREAS,

A. Mildred and Arthur Stina, Greg Stina, Paul Stina, and Jeanette Lendl are the owners of certain real property (the "Property") known as the Lendl Farm and consisting of approximately 65 acres of viable agricultural land in tax map parcel #186.-2-48 located on Parkis Mills Road in the Town

of Galway. The landowner is interested in protecting the Property for agricultural purposes by conveying a permanent conservation easement on the land;

B. Saratoga PLAN is a New York not-for-profit corporation within the meaning of Article 49, Title 3 or the Environmental Conservation Law of the State of New York (together with any successor statute, the "ECL"), is organized for, among other purposes, conserving real property, is a tax exempt and qualified organization within the meaning of Section 501(c)(3), 509(a) and 170(b)(1)(A)(vi) of the Internal Revenue Code (the "Code"), and is a "qualified organization" to accept, purchase, and hold conservation easements under Section 170(h) of the Code of Treasury Regulation Section 1.170A-14(c);

C. Article 14, Section 4 of the New York State Constitution states: "The policy of this state shall be to conserve and protect its natural resources and scenic beauty and encourage the development and improvement of its agricultural lands for the production of food and other agricultural products;"

D. Section 49-0301 of the ECL states: "The legislature hereby finds and declares that in order to implement the state policy of conserving, preserving and protecting its environmental assets and natural and man-made resources, the preservation of open spaces, the preservation, development and improvement of agricultural and forest lands,...is fundamental to maintenance, enhancement and improvement of...balanced economic growth and quality of life in all areas of the state;"

E. The Property is located within Saratoga County Consolidated Agricultural District #2, created pursuant to Article 25-AA of the New York State Agriculture and Markets Law (the "AML"). Section 300 states: "It is hereby found and declared that many of the agricultural lands in New York State are in jeopardy of being lost for any agricultural purposes. When nonagricultural development extends into farm areas, competition for limited resources results...it is, therefore, the declared policy of the state to conserve, protect and encourage the development and improvement of its agricultural land for production of food and other agricultural products...It is the purpose of this article to provide a locally-initiated mechanism for the protection and enhancement of New York State's agricultural lands as a viable segment of the local and state economies and as an economic and environmental resource of major importance;"

F. Article 25-AAA. Section 321 of the AML states: "It is hereby found and declared that agricultural lands are irreplaceable state assets. In an effort to maintain the economic viability, and environmental and landscape preservation values associated with agriculture," the Commissioner is authorized to administer programs to assist counties in developing agricultural and farmland protection plans to assist both county and municipal governments in the implementation of such plans. The Commissioner gives priority to projects that will preserve viable agricultural land, are located in areas facing significant development pressure and serve as a buffer for a significant natural public resource containing important ecosystem or habitat characteristics;"

G. The Property is located within Saratoga County, the Saratoga County Agricultural and Farmland Protection Board passed a resolution endorsing the conservation of this Property and submission of a funding application to New York State for such purpose on April 25, 2018.

H. The Property is located within Saratoga County, which adopted an Agricultural and Farmland Protection Plan in December 1997 and a Green Infrastructure Plan in November 2006. The Agriculture and

Farmland Protection Plan recommends:

- a. Support Local PDR Projects:
 - i. "Encourage partnerships between landowners, local governments, private organizations, and the county to leverage access to existing state and federal funds for purchase of development rights ("PDR")."
- b. Support Agricultural Conservation Easements:
 - i. "Encourage landowners to learn more about private conservation options like conservation easements and promote public-private partnerships to expand these efforts."

The Green Infrastructure Plan recommends:

- a. "Help county municipalities and other partners create protection priorities, goals, and strategies for the conservation of natural heritage."
- b. "Create greenway corridors between natural system hubs."

I. the Property is located in the Town of Galway which adopted a Comprehensive Plan in 2002. The Plan recommends to, "Consider a program whereby the Town and /or local land trust can secure development rights through either purchase or donation of a conservation easement (Purchase of Development Rights or PDR). Seek funding for this program through Federal, state and private resources."

The Comprehensive Plan has the following land use goals:

- a. Preserve agricultural lands for agricultural uses with a special emphasis on those unique agricultural lands having prime soils and that are currently being farmed;
- b. Protect the rural and agricultural character of the area while allowing for carefully planned, low density development

J. The Property consists primarily of productive agricultural land. The Property contains approximately 55% prime soils and 6% soils of statewide importance as defined by the U.S. Department of Agriculture Natural Resources Conservation Services.

K. Saratoga PLAN determined that accepting a Conservation Easement on the Property will enhance the long-term agricultural values of the Property and promote the use of soil conservation practices, which will further Saratoga PLAN's charitable purposes of protecting the distinctive rural character of Saratoga County and its lands and waters of significant historic and ecological value. Furthermore, the Property is located within a high priority area for farmland and forestland conservation identified by Saratoga PLAN in its conservation plan, adopted in January 2014;

L. Mildred and Arthur Stina, Greg Stina, Paul Stina, Jeanette Lendl, and Saratoga PLAN agree that the purpose of the agricultural conservation easement will be to conserve Viable Agricultural Land by preventing the conversion of the Property to non-farm uses. In achieving such prevention, the Property shall be forever reserved for continued Agricultural Use.

NOW, THEREFORE, BE IT RESOLVED:

The Town of Galway Town Board passed a Resolution on June 12, 2018 at a regular Town Board meeting, to endorse the submission of an application from Saratoga PLAN, in cooperation with

the Saratoga County Planning Department, to New York State Department of Agriculture and Markets for funding to Purchase Development Rights of the Lendl Farm and for Saratoga PLAN to hold and uphold a perpetual conservation easement on the land.

STATE OF NEW YORK

COUNTY OF SARATOGA

I, Margaret L. DeFoe, Clerk for the Town of Galway, do hereby certify that the foregoing is a true copy, and the whole thereof, of a Resolution duly adopted by the Town Board of said County on the 12th day of June 2018.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed hereto the official seal of said town this 17th day of July 2018.

AYES – 3

NAYS – 0

MOTION CARRIED

RESOLUTION #: 34-2018 – Re-appoint Ruth Ann Daino to Planning Board. On a motion of Councilwoman Grant, seconded by Councilman Smith the following resolution was ADOPTED: AYES – 3 NAYS – 0

RESOLVED that the Galway Town Board Re-appoint Ruth Ann Daino to the Planning Board with a term to expire 7/1/23.

All ayes.

MOTION CARRIED

RESOLUTION #: 35-2018 – Schedule Special Meeting. Supervisor Arnold stated that the Town Board needed to schedule a Special Meeting to appoint Councilman Smith to the position of Supervisor and also review the request of GEMS to consider the forming of a Special Ambulance District. On a motion of Councilwoman Grant, seconded by Councilman Smith the following resolution was ADOPTED: AYES – 3 NAYS – 0

RESOLVED that the Galway Town Board schedule a Special Meeting for Wednesday, July 25, 2018 at 7:00 p.m. to appoint Councilman Michael Smith to the position of Supervisor for the remainder of 2018. This position will be voted on at the next General Election to fill the remainder of said term which will expire on 12/31/21. The Town Board will also consider the request of Galway Emergency Medical Services to form a Special Ambulance District and to consider acceptance of a proposed plan, report and map of such district pursuant to Town Law Article 12-A.

All ayes.

MOTION CARRIED

Privilege of the Floor – Donna questioned who would be handling the website activities notification. Supervisor Arnold stated that the Board would be working on this after next week's appointment. The Town Clerk stated that she updates different things on website, what Donna is referring to is the scrolling notifications and the news items indicated on front page of website. Digital Towpath can inform Town Clerk on how to do this and give access or Councilman Smith can do it when appointed.

Beth thanked Supervisor Arnold and Councilman Smith for meeting with her to keep going on the request to establish an Ambulance District.

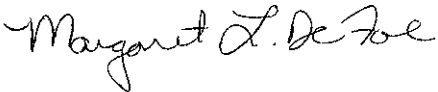
REGULAR MEETING, GALWAY TOWN BOARD, JULY 17, 2018

On a motion of Councilman Smith, seconded by Councilwoman Grant the meeting was adjourned at 7:31 p.m.

All ayes.

MOTION CARRIED

Respectfully submitted,



Margaret L. DeFoe
Town Clerk