

*TOWN OF GALWAY
TOWN BOARD MEETING*

September 10, 2019

Call to order -- Supervisor Smith

Roll Call -- Town Clerk DeFoe

Pledge to the flag -- All

Approval of the minutes for the meeting held August 13, 2019

Communications Received -- Town Clerk DeFoe

Reports of Committees

Reports of Department Heads

Budget

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

Community Block Grant --Saratoga County
Budget Workshop dates.

Other Business

Solar Law Discussion
Economic Forum Survey have been coming in
New flooring proposal for court room and main corridor.
Building Inspector Resumes

Privilege of the Floor

Adjourn

REGULAR MEETING
 SEPTEMBER 10, 2019
 GALWAY TOWN HALL

Supervisor Smith called the meeting to order at 7:00 p.m. The following Town Board Members were present:

PRESENT: Supervisor Michael Smith Councilman Fred Arnold
 Councilman Rod Wilday Councilwoman JoAnne Peregrim-Grant
 Councilman Ryan Flinton

OTHERS PRESENT: P. Keeler, Historian; D. Sowle, Youth Commission Chair; B. Jones; A. Decker; C. Ciembroniewicz, Code Enforcement & M. DeFoe, Town Clerk.

Pledge to Flag

A motion was made by Councilman Arnold seconded by Councilman Wilday to approve the minutes of the August 13, 2019 Regular Meeting as submitted.

All ayes.

MOTION CARRIED

Communications -- Town Clerk stated Board Members received copies of the following correspondence: Building Department Report covering 8/13-9/10/19; Highway Maintenance Report for August with schedule for September; Assessor Report for September; Dog Control Officer Report for July & August with Shelter Report for August; Budget Amendments needed tonight; Notification from AMSURE that NYMIR was increasing the Security Breach & Network Security Liability limits on Town Policy to \$250,000 including Ransomware at no added charge; Notification from AMSURE that contact person had retired, supplied new representatives information; Notification from Saratoga County Soil & Water Conservation District of upcoming Tire Recycling Program (Town Clerk put notice on website & has it at counter for public) & proposed resolution for participation in community development block grant.

COMMITTEES/DEPARTMENT HEADS/LIASON – **Historian** – Phyllis Keeler stated that she was the guest speaker at Lions Club Meeting, sharing with them the duties of the Town Historian and highlights of Galway history. Phyllis shared with them the history of the fire on September 17, 1908 that devastated many beautiful buildings in the Village of Galway. Phyllis also went over the wonderful Cemetery Project completed by Eagle Scout Eric Malinowski on Mechanic Street. She also expressed to the Lion's Club her pleasure with the current Town Board. **Youth Commission** – Donna Sowle stated that summer activities are done. Youth soccer will begin this Saturday the 14th and run thru October 19th; Riffle will begin in September and run into May; Karate is looking for two evenings at school and basketball will take place in November. **Code Enforcement** – Chet stated that he was sending Dollar General a letter requesting a meeting with a representative to address problems that still exist with site plan. Supervisor Smith stated that Town Engineer went and reviewed site in August and determined that there were several deficiencies on site. Supervisor Smith would like to contact a representative for State with reference to cleaning corner up by weather station and out building.

Councilman Arnold made a motion, seconded by Councilman Wilday to approve the August General Abstract of Vouchers (A) for a total of \$47,728.51.

All ayes. MOTION CARRIED

Councilman Wilday made a motion, seconded by Councilwoman Grant to approve the August General Abstract of Vouchers (B) for a total of \$2,272.77.

All ayes. MOTION CARRIED

Councilwoman Grant made a motion, seconded by Councilman Flinton to approve the August Highway Abstract of Vouchers (DA) for a total of \$4,434.32.

All ayes. MOTION CARRIED

Councilman Flinton made a motion, seconded by Councilman Arnold to approve the August Highway Abstract of Vouchers (DB) for a total of \$10,983.02.

All ayes. MOTION CARRIED

Councilman Arnold made a motion, seconded by Councilman Wilday to approve the August Special District Abstract of Vouchers (SL) for a total of \$103.15.

All ayes. MOTION CARRIED

Councilman Wilday made a motion, seconded by Councilwoman Grant to approve the August Tri-Town Abstract of Vouchers (TT) for a total of \$916.36.

All ayes. MOTION CARRIED

Councilman Arnold made a motion, seconded by Councilman Flinton to approve the Supervisor's Report for the period ending 08/31/19.

All ayes. MOTION CARRIED

Supervisor Smith stated that next month's Supervisor's Report will show the 1st 2018 County Landfill Revenue Sharing payment of \$30,000 which he deposited into Town Money Market Account. This program should generate \$20,000 a year to the Town for 20 years.

RESOLUTION #: 34-2019 – Budget Amendments. On a motion of Councilman Arnold, seconded by Councilman Wilday the following Resolution was adopted:

AYES – 5 NAYS – 0

RESOLVED that the Galway Town Board authorize the following Budget Amendments:

DECREASE B2350 YOUTH REC-OTHER GOVERN'T \$275.00

INCREASE B7310.4 YOUTH PROGRAMS \$275.00

DECREASE DA3089 STATE GRANTS-PLAY FIELDS \$51,554.50

INCREASE DA5130.2 MACHINERY & EQUIPMENT \$51,554.50

DECREASE DA1640 AMBULANCE CHARGES \$1,570.54

INCREASE DA5142.41 SNOW REMOVAL FUEL \$1,570.54

All ayes. MOTION CARRIED

RESOLUTION #: 35-2019 – Community Block Grant. Supervisor Smith stated that he had already submitted an Interest in Inclusion from HUD Designated Urban County Form. On a motion of Councilman Arnold, seconded by Councilman Wilday the following Resolution was adopted by ROLL CALL VOTE:

Supervisor Michael Smith – AYE Councilman Fred Arnold – AYE
 Councilman Rod Wilday – AYE Councilwoman JoAnne Grant – AYE
 Councilman Ryan Flinton - AYE.

RESOLVED that the Galway Town Board authorize the following Cooperation Agreement:

A COOPERATION AGREEMENT BETWEEN THE COUNTY OF SARATOGA, NEW YORK AND THE TOWN OF GALWAY FOR PARTICIPATION IN THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

This "Saratoga Urban County Cooperation Agreement" (hereinafter referred to as "Cooperation Agreement") is made and entered into as of the 10th day of September, 2019, by and between the County of Saratoga, a political subdivision of the State of New York having its principal office at 40 McMaster Street, Ballston Spa, NY 12020 (hereinafter called "County"); and, the Town of Galway, a Town of the State of New York, located in the County of Saratoga, having its principal office at Galway (hereinafter called "Municipality") and jointly referred to as "Parties."

WITNESSETH

WHEREAS, the Housing and Community Development Act of 1974, as amended (24 U.S.C. 93-383 et seq.) created the Community Development Block Grant ("CDBG") program by combining into a single grant program a number of previous federal grant programs administered by the United States Department of Housing and Urban Development ("HUD"), which programs included the Urban Renewal, Model Cities, Open Space, and Water and Sewer programs; and

WHEREAS, the CDBG entitlement program provides annual grants on a formula basis to cities and counties to develop viable urban communities through: the construction of affordable housing; the promotion of economic opportunity through the creation of jobs and the expansion and retention of businesses; the expansion of community services; and neighborhood revitalization projects, principally for low- and moderate- income persons; and

WHEREAS, The County desires to cooperate with the cities, towns, and villages of the County in applying for and utilizing a maximum share of any funds available under said Housing and Community Development Act; and

WHEREAS, the Municipality desires to undertake essential community development and housing assistance activities as defined in said Act; and

WHEREAS, the County is eligible to be designated as an "Urban County" by the United States Department of Housing and Urban Development (hereinafter referred to as "HUD") and is thereby eligible for a formula share of program funds, provided the County enters into cooperation agreements with included units of general local government having a combined population of 200,000 persons or more; and

WHEREAS, the Saratoga County Board of Supervisors, by Resolution No. 159-2019, dated July 16, 2019, has authorized the Chairman of the County Board of Supervisors to enter into such cooperation agreements with municipalities agreeing to participate in the Urban County; and

WHEREAS, the Legislature of the Municipality has authorized its executive official to enter into the Cooperation Agreement with the County by Resolution No. 35 dated September 10, 2019, so as to receive funds available by yearly application under the CDBG Entitlement Program.

NOW, THEREFORE, the Parties hereby agree as follows:

- A. The Cooperation Agreement covers the CDBG Entitlement Program.
- B. The Municipality opts to be included as a unit of general local government in the Urban County, and such election shall be effective for the entire three-year period for which the urban county qualifies. The Cooperation Agreement shall automatically be renewed for participation in successive three-year qualification periods, unless the County or Municipality provides written notice it elects not to participate in a new qualification period.
- C. The Parties are required to adopt any amendment to the Cooperation Agreement incorporating changes necessary to meet the requirements for cooperation agreements set forth in an Urban County Qualification Notice applicable for a subsequent three-year urban county qualification period, and shall submit such amendment to HUD as provided in the urban county qualification notice.
- D. By the date specified in HUD's urban county qualification notice for the next qualification period, the County shall notify the Municipality in writing of its right not to participate. A copy of the County's notification to the jurisdiction

will be sent to the HUD Field Office by the date specified in the urban county qualification schedule.

- E. The Cooperation Agreement remains in effect until the CDBG funds and program income received (with respect to activities carried out during the three-year qualification period, and any successive qualification) are expended and the funded activities completed. The County and Municipality cannot terminate or withdraw from the Cooperation Agreement while it remains in effect.
- F. If it becomes applicable, Cooperation Agreement Amendments pertinent to the HOME Investment Partnerships Program ("HOME") and Emergency Solutions Grants Program ("ESG") will be subject to the same stipulations as stated above in Section E.
- G. If it becomes applicable, the Municipality may receive a formula allocation under the HOME Program only through the Urban County. Thus, even if the Urban County does not receive a HOME formula allocation, the Municipality cannot form a HOME consortium with other local governments. This does not preclude the Urban County or Municipality from applying to the State for HOME funds, if the state allows.
- H. The Municipality may receive a formula allocation under the ESG Program only through the urban county. This does not preclude the County or Municipality from applying to the State for ESG funds, if the state allows.
- I. The Parties shall cooperate to undertake, or assist in undertaking, community renewal and lower-income housing assistance activities.
- J. The Municipality shall supply any available plans, surveys or data necessary to assist in the assessment of local community development and housing needs to inform the County's Consolidated Plan.
- K. The Municipality shall submit to the County funding requests for specific community development and/or housing activities consistent with community development and housing needs of the Urban County as a whole as determined by the Consolidated Plan.
- L. The Municipality shall inform the County of any program income generated by the expenditure of CDBG funds by the Municipality and that such program

income may be retained by the Municipality only for the continuation of an eligible and approved activity in accordance with all CDBG requirements as may then apply and subject to all other requirements as set forth in this Agreement. As the County has the responsibility of monitoring and reporting to HUD the use of any such program income, the Municipality agrees to maintain appropriate record keeping and reporting systems as may be needed for this purpose. The Municipality further agrees that in the event of the termination of the grant or the Municipality's participation with the Urban County, any program income that is in the possession of the Municipality or received subsequent to such termination shall be repaid to the County.

- M. The Municipality shall timely notify the County of any subsequent sale, or transfer to a use which does not qualify under the CDBG regulations, of real property acquired or improved in whole or in part using CDBG funds. In the event of the disposition or transfer to a non-CDBG qualifying use of said real property, an amount equal to current fair market value of such real property (less any portion thereof attributable to expenditures of non-CDBG funds) shall be considered program income. Provisions contained in Section L above shall govern the treatment of such program income.
- N. The Parties shall take all actions necessary to assure compliance with the County's certification under section 104(b) of said Housing and Community Development Act that the grant shall be conducted and administered in conformity with the Civil Rights Act of 1964 and the Fair Housing Act and will affirmatively furthering fair housing. The Parties are obligated to comply with section 109 of Title I of said Housing and Community Development Act, which incorporates Section 504 of the Rehabilitation Act of 1973 and the Age Discrimination Act of 1975. The Parties are under obligation to comply with other applicable laws.
- O. Urban County funding is prohibited for activities in, or in support of, any cooperating unit of general local government that does not affirmatively further fair housing within its own jurisdiction or that impedes the County's actions to comply with the County's fair housing certification.
- P. Pursuant to 24 CFR 570.501(b), the Municipality is subject to the same requirements applicable to sub-recipients. The execution of the Cooperation Agreement does not in itself satisfy the requirement for a written sub-recipient agreement required by the regulations at 24 CFR 570.503. Where the Municipality carries out an eligible activity funded by the County, the

County shall, prior to disbursing any CDBG funds for any such activity or project, execute a written sub-recipient agreement with the Municipality.

Q. The Municipality has adopted and is enforcing:

1. A policy prohibiting the use of excessive force by law enforcement agencies within its jurisdiction against any individuals engaged in non-violent civil rights demonstrations; and
2. A policy of enforcing applicable State and local laws against physically barring entrance to or exit from a facility or location which is the subject of such nonviolent civil rights demonstrations within jurisdictions.

R. The Municipality shall not sell, trade, or otherwise transfer all or any portion of such funds to another such metropolitan city, urban county, unit of general local government, or Indian tribe, or insular area that directly or indirectly receives CDBG funds in exchange for any other funds, credits or non-Federal considerations, but must use such funds for activities eligible under title I of the Act.

S. The County has full responsibility for the execution of the community development program, for following its Consolidated Plan, and for meeting the requirements of other applicable laws (e.g., National Environmental Policy Act, Uniform Relocation Act, Fair Housing Act, Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, Section 109 of Title I of the Housing and Community Development Act of 1974, the Americans with Disabilities Act of 1990). The County's responsibility must include these functions even where, as a matter of administrative convenience or State law, the County permits the participating units of general local government to carry out essential community development and housing assistance activities. The County will be held accountable for the accomplishment of the community development program, for following its Consolidated Plan, and for ensuring that actions necessary for such accomplishment are taken by cooperating units of general local government.

IN WITNESS WHEREOF, the Parties have duly executed this Agreement as of the date and year first above written.

COUNTY OF SARATOGA

TOWN OF GALWAY

By: _____	By: _____
KEVIN J. TOLLISEN	MICHAEL SMITH
CHAIRMAN OF THE BOARD OF SUPERVISORS	TOWN SUPERVISOR
5 – AYES 0 – NAYS	MOTION CARRIED

RESOLUTION #: 36-2019 – 2020 Budget Workshops. On a motion of Councilman Flinton, seconded by Councilwoman Grant the following Resolution was adopted:
 AYES – 5 NAYS – 0

RESOLVED that the Galway Town Board set the following budget workshop dates: September 25, 2019, October 2, 2019 and if needed October 9, 2019 all at 6:00 p.m.
 All ayes. MOTION CARRIED

Supervisor Smith stated that Board Members were given information from Jaeger & Flynn regarding insurance option for 2020 health insurance. He requested that the Town Board review information, Board would need to make a decision next month on policy choice.

Other Business

RESOLUTION #: 37-2019 – Authorization for purchase of new carpet for common areas. Supervisor Smith stated that the carpet has been rippling and he is concerned with safety. On a motion of Councilman Arnold, seconded by Councilman Flinton the following Resolution was adopted: AYES – 5 NAYS – 0

RESOLVED that the Galway Town Board authorize the purchase of new carpet for the common areas of Town Hall (Court Room, Hall & area outside Assessor’s Office) from The Floor Coverings of the Galleria in the amount of \$5,079 to be charged to A1620.4 Building Expense.
 All ayes. MOTION CARRIED

Supervisor Smith stated the Town of Milton has invited us to a Historic Presentation on the West Milton Site on September 18th at 7:00 p.m. held at the Milton Community Center.

Supervisor Smith stated he gave Board Members an updated 2020 GEMS Budget. Supervisor Smith & Councilwoman Grant met with GEMS and the Supervisor’s from Providence & Charlton along with a Councilmember from each of those Towns to review the original budget submitted. They worked together to eliminate any excess funding. GEMS then prepared an updated 2020 budget requesting \$160,340 from Galway; \$49,870 from Charlton & \$79,790 from Providence. This will be included in budget workshops.

RESOLUTION #: 38-2019 – Association of Towns Dues. On a motion of Councilman Flinton, seconded by Councilman Wilday the following Resolution was adopted: AYES – 5 NAYS – 0

RESOLVED that the Galway Town Board authorize the payment of yearly dues to the

REGULAR MEETING, GALWAY TOWN BOARD, SEPTEMBER 10, 2019

Association of Towns in the amount of \$1,000 to be charged to 1010.4 Town Board.

All ayes.

MOTION CARRIED

Supervisor Smith stated that the next Economic Development Forum to go over survey information received to date will be held October 23, 2019 at 7:00 p.m. Highway Department can be commended by the looks of survey's as the public seems to be very pleased with the condition of Town Roads. Town Clerk stated that Saratoga Plan Trails need to be promoted more, as people are obviously not aware of all that is offered in Galway & Providence according to surveys.

Solar Law Discussion – Supervisor Smith stated that he overall likes the Town of Saratoga outline the best. He would like to see some of the Stillwater information with reference to bonding & coverage once a company goes out of business and project needs to be taken down and removed incorporated into plan. He feels the agricultural and commercial zones are where we should look at placing solar. **Councilman Flinton** stated that proper wording with reference to utility is "Interconnect Agreement"; decommission bonding needs to be updated and he would like to see the removal of any underground cable as a requirement. Councilman Flinton will forward his comments to Supervisor Smith to be added to his comments and then forward to Attorney for review and preparation of document. Hopefully he will have proposed law ready for Town Board to review in October and possibly go for a public hearing in November.

Three resumes were received for Code Enforcement position, Supervisor Smith will try and set up interviews for Thursday of next week starting at 3 p.m., Councilman Wilday volunteered to assist with interviews.

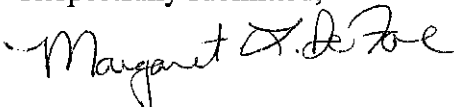
Privilege of the Floor – Donna Sowle questioned if Town was going to hold another bulk waste drop off this fall. Supervisor & Town Clerk had both received requests from community for another date. Town Clerk stated it really needed to be put in a newsletter that was delivered to residents as people don't look at Town website. Supervisor Smith will talk with Highway Superintendent so it could be included in upcoming newsletter. Supervisor will also look into who owns sign at Galway Market to possible put information on it for public and how much a sign board would cost for Town.

Councilwoman Grant made a motion, seconded by Councilman Arnold to adjourn the meeting at 7:52 p.m.

All ayes.

MOTION CARRIED

Respectfully submitted,



Margaret L. DeFoe
Town Clerk