

***TOWN OF GALWAY
TOWN BOARD MEETING***

September 14, 2021

Call to order – Supervisor Smith

Roll Call – Town Clerk DeFoe

Pledge to the flag – All

Approval of the minutes for the meeting held August 10, 2021

Communications Received – Town Clerk DeFoe

Reports of Committees:

Youth Commission

Historian

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

Approval of Abstract Fund TT

Supervisor's Report-

Budget Amendments-

Resolutions:

Appointing Robin Collyer as Clerk to Zoning and Planning Boards

Scheduling budget workshop(s)

Other Business:

New website is up and running

Marijuana local law—Schedule public hearing on draft law _Trainor to provide-Leave PH open till next month

Update meeting with Lake Association for Aug 19

Share New Town Newsletter with Board

Priviledge of the Floor:

Adjourn

State of New York,
City and County of
Saratoga

ss.:

**Patti Schissler of the Town of Rotterdam,
being duly sworn, says that he/she is Principal
Clerk in the office of the Daily Gazette Co.,
published in the City of Schenectady and that
the notice/advertisement, of which the annexed
is a printed copy, has been regularly published
in the Daily Gazette and/or Sunday Gazette
as follows:**

1 insertion: August 13, 2021

Patti Schissler (signature)

Patti Schissler (printed name)

Sworn to me on this 16 day of August 2021

NOTARY PUBLIC

PAULA A. OPEL
COMMISSIONER OF DEEDS
MY COMMISSION EXPIRES

Paula A Opel
7-20-23

**TOWN OF GALWAY
NOTICE OF PUBLIC
HEARING REGARDING**

**A LOCAL LAW OPTING
OUT OF ADULT USE CAN-
NABIS RETAIL DISPENSA-
RIES
AND ON-SITE CONSUMP-
TION SITES**

PLEASE TAKE NOTICE
that the Town Board of
the Town of Galway will
conduct a Public Hear-
ing on Tuesday, Septem-
ber 14, 2021 at 6:45 p.m.
at the Galway Town Hall,
5910 Sacandaga Road,
Galway, NY to inform the
public and to consider
public comments re-
garding Proposed Local
Law No. 1 of 2021, a Local
Law opting out of retail
cannabis dispensaries.

At said Public Hear-
ing any person may
be heard in favor or
against Proposed Local
Law as compiled, or for
or against any item or
items as there in con-
tained.

Copies of the Proposed
Local Law are available
for inspection by any
interested person dur-
ing regular Town Clerk
hours or on Town of Gal-
way website: [townof-
galwayny.org](http://townof-galwayny.org)

By order of the Galway
Town Board.
Margaret L. DeFoe
Town Clerk

8/13



PUBLIC HEARING
 SEPTEMBER 14, 2021
 GALWAY TOWN HALL

Supervisor Michael Smith called the meeting to order at 6:45 p.m. The following Town Board Members were present:

PRESENT: Supervisor Michael Smith Councilmember Fred Arnold
 Councilmember JoAnne Peregrim-Grant Councilmember Ryan Flinton
 Councilmember J.D. Arnold

OTHERS PRESENT: D. Sowle, Youth Commission Chair; T. Gilday, Code Enforcement; J. Trainor, Attorney; T. O'Brien, Dog Control Officer B. Hyde, Village Mayor; A. Best Village Trustee; P. Hyde; V. Sawicki; D. D. Sherman; R. Collyer & M. DeFoe, Town Clerk. P. Keeler, Historian & D. Neahr, Deputy Historian arrived late at 6:55 p.m.

Town Clerk stated Legal Notice was placed in the Daily Gazette on August 13, 2021 and posted at Town Hall; Post Office; Bank & on Town Website advising the public of a Public Hearing to be held on September 14, 2021 at 6:45 p.m. Supervisor Michael Smith advised that he also posted this on Town's Facebook page. The purpose of Public Hearing is to receive comments from the public and take action on Proposed Local Law No. 1 of 2021 a Local Law Opting Out of Adult Use Cannabis Retail Dispensaries & On-Site Consumption. The Clerk stated no written or oral comments were received regarding Proposed Local Law. Supervisor Michael Smith stated that he would like to keep the public hearing open until next month to allow residents time to review proposed law and comment. **Attorney, James Trainor** went over State Law on Cannabis. He advised that the Town had to make a decision by end of year on opting in or out of retail dispensaries and on-site consumption. Residents would then be allowed time to do a Permissive Referendum if they didn't agree with opting out by Town Board. Attorney Trainor advised that the Town had the ability to opt out at this time and at a later date opt in. If the Town decided to opt in, they don't have ability to later opt out. Attorney Trainor stated that the Town & Village don't have to be in sync with each other. He suggested if they both were to opt in that they do some kind of agreement for tax sharing. **Bill Hyde, Village Mayor** stated that Village Board was on the same page as Town and would be doing hearing and opt out. **Dorothy Sherman & Virginia Sawicki** were both in support of Town Board opting out. **Supervisor Michael Smith** stated that the Town Board's feeling at this time is to opt out. Supervisor Smith would like to keep Public Hearing open until next month for public comment. On a motion of Councilmember Fred Arnold, seconded by Councilmember Ryan Flinton the Public Hearing was adjourned until next month to allow for more public comment on Proposed Local Law No. 1-2021 at 7:00 p.m.

REGULAR MEETING
 SEPTEMBER 14, 2021
 GALWAY TOWN HALL

Supervisor Michael Smith called the Regular Meeting to order at 7:00 p.m. The same Town Board Members were present. Audience was the same as Public Hearing.

Pledge to Flag & Moment of Silence for David Schweizer

A motion was made by Councilmember Fred Arnold seconded by Councilmember J.D. Arnold to approve the minutes of the August 10, 2021 Regular Meeting as submitted.

All ayes.

MOTION CARRIED

Communications – Town Clerk stated Board Members received copies of the following correspondence: Fall Galway Reader; Dog Control Officer's Log for July & August along with separate Dog Log for a NYS Route 29 animal issue; Couple of correspondence from Charter Communication on upcoming changes in channeling/service; Highway Report for August with schedule for September; Association of Town's notification of webinar was given to elected officials; FEMA webinar information given to Supervisor, Building Administrator & Highway Superintendent; Tax Collector Audit needs to be accepted; Budget Amendments; Assessor Report for September & Town Clerk asked if the Town Board would request bids from the other three banks we have as depositories in Town Policy to find out if they in fact are now charging all the different fee schedules and charges that Ballston Spa National Bank has implemented. The only month that is an everyday deposit is January, the rest of year Town Clerk could make deposits once a week at any of these locations. Supervisor Michael Smith stated we could discuss further in Other Business.

COMMITTEES/DEPARTMENT HEADS/LIASON – Youth **Commission** – Donna Sowle advised that Karate has been going on in small groups; Summer Activities were well received; Fall Soccer started September 11th thru October 16th Pre-K thru 6th grade; Jr. Riffle Club will be doing Wednesdays at Fish & Game Club. Supervisor Michael Smith state that the Halloween Event will take place on Saturday October 30th from 1-4. This will be the last Saturday in October going forward for Halloween Event. Meeting will take place tomorrow at 6 p.m. at the pavilion to discuss Halloween Event. Donna stated that the 2022 Budget had been submitted with additional funding being requested. **Historian** – Darby Neahr advised that Aidan was about half way thru scanning projects. He advised the Town Clerk today that he finished the first scanning project. He asked Supervisor if he could work a few more hours a week and Supervisor stated he could. Darby stated that they received the McChesney family bible last night. **Dog Control** – Tom O'Brien stated that a local resident was hospitalized and known to have a large number of different animals. The concern came up about who if anyone was taking care of these animals during hospitalization. Tom & Sheriff Deputy were advised by neighbor of who was taking care of animals in the interim. They were advised that animal care would be ending as of the 10th. Tom worked with the family and the resident released the animals for placement. Kelly at County was a huge help during this. Resident is in very bad shape but back at home due to hospital not having room. Visiting nurses are looking into residents' status. Town Board commended Tom on how he went above & beyond with this situation.

Councilmember Fred Arnold made a motion, seconded by Councilmember J.D. Arnold to approve the August General Abstract of Vouchers (A) for a total of \$58,274.88.

All ayes.

MOTION CARRIED

Councilmember J.D. Arnold made a motion, seconded by Councilmember Ryan Flinton to approve the August General Abstract of Vouchers (B) for a total of \$4,539.80.

All ayes.

MOTION CARRIED

Councilmember Ryan Flinton made a motion, seconded by Councilmember JoAnne Grant to approve the August Highway Abstract of Vouchers (DA) for a total of \$65,164.42.

All ayes.

MOTION CARRIED

Councilmember JoAnne Grant made a motion, seconded by Councilmember Fred Arnold to approve the August Highway Abstract of Vouchers (DB) for a total of \$46,761.89.

All ayes.

MOTION CARRIED

Councilmember Fred Arnold made a motion, seconded by Councilmember J.D. Arnold to approve the August Special District Abstract of Vouchers (SL) for a total of \$138.27.

All ayes.

MOTION CARRIED

Councilmember J.D. Arnold made a motion, seconded by Councilmember Ryan Flinton to approve the August Tri-Town Abstract of Vouchers (TT) for a total of \$1,056.93.

All ayes.

MOTION CARRIED

Councilmember Fred Arnold made a motion, seconded by Councilmember Ryan Flinton to approve the Supervisor's Report for the period ending 08/31/21.

All ayes.

MOTION CARRIED

RESOLUTION #: 39-2021 – Budget Amendments. On a motion of Councilmember J.D. Arnold, seconded by Councilmember Ryan Flinton the following Resolution was adopted:

AYES – 5 NAYS – 0

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

Reimbursement from County

DECREASE	B2350	Youth Rec – Other Govmt's	\$3,189.00
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INCREASE	B7310.4	Youth Programs	\$3,189.00
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Reimbursement from County

DECREASE	A2170	Community Dev.- Veteran's	\$48.97
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INCREASE	A1620.4	Bldg. Expense-Town Hall	\$48.97
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All ayes.

MOTION CARRIED

RESOLUTION #: 40-2021 – Appointment of Planning/ZBA Clerk. Supervisor Michael Smith advised that resignation letter was received from Donna Noble, Planning/ZBA Clerk effective 12/31/21. Robin Collyer will be the new Clerk for Planning/ZBA. For the remainder of the year, we will have Robin learning the

duties alongside Donna Noble. On a motion of Councilmember JoAnne Grant, seconded by Councilmember Ryan Flinton the following Resolution was adopted:

AYES – 5 NAYS - 0

RESOLVED that the Galway Town Board Appoint Robin Collyer to the position of Planning/ZBA Clerk as of 9/14/21 at \$17.19 per hour.

All ayes.

MOTION CARRIED

RESOLUTION #: 41-2021 – 2022 Budget Workshops. On a motion of Councilmember JoAnne Grant, seconded by Councilmember J.D. Arnold the following Resolution was adopted: AYES – 5 NAYS – 0

RESOLVED that the Galway Town Board set the following budget workshop dates: September 22, 2021, September 29, 2021 and if needed October 6, 2021 all at 7:00 p.m.

All ayes.

MOTION CARRIED

RESOLUTION #: 42-2021 – Accept the 2021 Audit for Tax Collector Books. Supervisor Michael Smith stated that Councilmembers Grant & Flinton completed Audit of Tax Collector Books for 2021 stating their finding to be excellent. On a motion of Councilmember Fred Arnold, seconded by Councilmember J.D. Arnold the following Resolution was adopted: AYES – 5 NAYS – 0

RESOLVED that the Galway Town Board accept the Audit findings as received from Councilmember's Grant & Flinton of the Tax Collector's Books for 2021.

All ayes.

MOTION CARRIED

Other Business: Supervisor Michael Smith stated that new website is up & running, very well received. Marijuana Local Law will be acted on next month. Since the last Town Board Meeting, he, Building Administrator & Planning & Zoning Chairs had a meeting with the Lake Association Council to try to find ways to work together to help enforce septic issues in Lake District. They gave some opinions on how to move forward with zoning & planning issues in Lake District. Draft copy of newsletter was given to Board. Supervisor Michael Smith stated Sharon Holbrook will be handling the Galway Reader, current issue was done by her. Halloween Trail Walk will take place on October 30th from 1-4. Meeting regarding Halloween Event will be at pavilion tomorrow night at 6 p.m. for anyone interested in helping. Supervisor Smith stated that he had a discussion with Donna from Ballston Spa Bank today, she would like to set up a meeting to go over our concerns the week of October 12th. Town Clerk Peg DeFoe stated that she would like to verify with other three depositories that they in fact are now charging the fees that Ballston Spa Bank has implemented. She feels that we should know from these other Banks what they have in place before we meet with Ballston Spa. Town Clerk stated that the only month that would be a problem with making deposits would be January as she needs to make deposits daily. The rest of the time she can go to any bank once a week. Town Clerk advised that her two accounts and the Justice's accounts balance out at end of month to zero, if fees were taken it would overdraw account. Attorney Trainor stated that they have similar accounts in law office fees would need to be set up to come out of general fund. Supervisor Smith stated that over the next several weeks they will need to contact other banks for verification and compile data to address with Ballston Spa National.

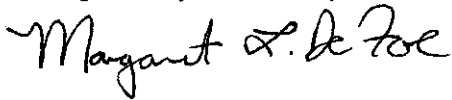
Privilege of the Floor: Tom O'Brien, Dog Control Officer stated that he currently has the Town Clerk researching many years back when the Town Attorney advised that he was not interested in working on dog control issues. Not sure if it was in an actual resolution or if it was given to him verbally by the Supervisor at that time George Hargrave. He has some issues that he needs to bring before the court and would like to use Jim Trainor if the Town Board would allow that. Supervisor Michael Smith stated that that would be alright as long as he realized he doesn't have that big of a .4 account. Jim stated he would be willing to help with court issues.

Councilmember Fred Arnold made a motion, seconded by Councilmember JoAnne Grant to adjourn the meeting at 7:50 p.m.

All ayes.

MOTION CARRIED

Respectfully submitted,



Margaret L. DeFoe
Town Clerk