

AGENDA

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

April 11, 2023

Call to order – Supervisor Smith

Roll Call – Town Clerk Defoe
JD Arnold is Excused

Pledge to the flag – All
Approval of the minutes for the meeting held March 15,2023
Communications Received – Town Clerk Defoe

Reports of Committees:
Youth Commission/Community Outreach-Colleen
Historian-Darby

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:
- Tour De Cure Diabetes Bike June 4th
- Domestic Relations Law—1 day marriage officiant license

Other Business
-Business round table large attendance – Next Up Village Round Table
-Community Building update –Grant application- submitted

Priviledge of the Floor:

Adjourn

Councilmember JoAnne Grant made a motion, seconded by Councilmember Ryan Flinton to approve the March 2023 General Abstract of Vouchers (B) for a total of \$6,740.59.

All ayes.

MOTION CARRIED

Councilmember Ryan Flinton made a motion, seconded by Councilmember Fred Arnold to approve the March 2023 Highway Abstract of Vouchers (DA) for a total of \$22,842.71.

All ayes.

MOTION CARRIED

Councilmember Fred Arnold made a motion, seconded by Councilmember JoAnne Grant to approve the March 2023 Highway Abstract of Vouchers (DB) for a total of \$4,141.70.

All ayes.

MOTION CARRIED

Councilmember JoAnne Grant made a motion, seconded by Councilmember Ryan Flinton to approve the March 2023 Park Pavilion Abstract of Vouchers (HA) for a total of \$14,445.60.

All ayes.

MOTION CARRIED

Councilmember Ryan Flinton made a motion, seconded by Councilmember Fred Arnold to approve the March 2023 Lighting District Abstract of Vouchers (SL) for a total of \$183.63.

All ayes.

MOTION CARRIED

Supervisor Michael Smith stated that there was no Supervisor's Report or Budget Amendments.

RESOLUTION #: 19-2023 – American Diabetes Association Tour de Cure Event. On a motion of Councilmember Fred Arnold, seconded by Councilmember JoAnne Grant the following Resolution was ADOPTED: AYES – 4 NAYS – 0

RESOLVED that the Galway Town Board authorize the Yearly American Diabete Association "Tour de Cure" charity bike ride event to take place on Town of Galway road and utilize the Dockstader Park as a rest stop for cyclists on June 4th from 7 a.m. to 4 p.m, event will begin at Elms Family Farm on Charlton Road.

All ayes.

MOTION CARRIED

RESOLUTION #: 20-2023 – Amendments to NYS Domestic Relations Law, Chapter 14, Article 3, designating lay individuals to solemnize marriages, On a motion of Councilmember Fred Arnold, seconded by Councilmember Ryan Flinton the following Resolution was ADOPTED: AYES – 4 NAYS - 0

RESOLVED that the Galway Town Board authorize the following:

WHEREAS, NYS Domestic Relations Law has been amended for Town/City Clerks to provide for designation of a one-day marriage officiant, which became effective March 28, 2023, and

WHEREAS, the authority is limited to applicants who want to marry a couple to whom the Town Clerk issued a marriage license and limited to the specific couple identified in the application and for the specific ceremony, and

WHEREAS, the legislation clearly states the information to be included in the application for a one-day officiant license and requirements, and has entitled the clerk to collect a twenty-five-dollar fee for the service to be retained by the Town; now, therefore, be it

RESOLVED, that the Town Clerk will be accepting applications for One-Day Marriage Offiense Licenses and collecting a twenty-five-dollar fee.

All ayes.

MOTION CARRIED

Other Business – Supervisor Smith stated that the Comprehensive Planning Committee business round table had a large attendance. A lot of good information was shared. The next meeting will be a Village round table discussion. With regards to the community building he and Colleen put in a grant application to Congressman Paul Tonko's Office for funding.

Supervisor Smith asked if the Town Board wanted to discuss the request from last month regarding the Audit of 2022 General Election. Councilmember Fred Arnold stated that he was for audit. Councilmember Peregrin-Grant stated that her last name was spelled incorrectly on the form that was presented, she gave her the correct spelling. Councilmember Ryan Flinton stated that he was not at the last meeting and just got his mail, will need time to research before he is comfortable with voting. LouAnna advised that there would be an open forum on this on April 18th at 7 p.m. with Marly Hornik the Director of New York Citizens Audit at the Clifton Park Elks Lodge on MacElroy Road. Supervisor Smith stated that the process for voting on a resolution is that he asks for someone to make a motion if they have a second it goes before Board for vote. He will put this on the agenda for May.

Privilege of Floor – **Pat Flinton** questioned what the status of the Veterans Memorial was for outside Town Hall. **Supervisor Smith** stated they are hoping to break ground within the next few weeks, project should be done for Memorial Day.

Brian Burns of Cruthers Road stated that ditching was done on road today not sure if they are continuing with ditching process or if it's done. Highway Superintendent has indicated that he will not speak to he or Stephanie per Town Attorney. They have no communication from or with the Highway Department with reference to what they are doing on road or what they intend to do. Town's insurance carrier has informed them that they are not covering damage done to his truck due to snow removal. This damage was not done on a Town Road it was done when his vehicle was in their driveway. Brian would like something in writing from the Town Attorney that addresses why the Highway Superintendent is not speaking or corresponding with the Burn's. **Stephanie Burns** stated that her dad passed away three years ago, the only time she actually spoke to David Costanzo was a month or so after his death. She is a tax payer that maintains the road beyond 2411 Cruthers Road with reference to purchasing & putting down crush

& run; mowing the sides of the road and picking up the downed branches. The Highway Department does nothing beyond 2411. Would like to be informed on what is being done or what is planned work for road. Councilman Fred Arnold stated if they were only there for two hours today he can safely say they are not done. The Highway Department plans on making this a three rod road, which is 49 ½ feet wide. Still trying to figure out budget wise if they will have funds to pave road. Communication is what the Burns are requesting.

John Peterson of 5203 Armer Road wanted to address the section of Armer Road from County Road 45 to Birchton Road. Was wondering what status was on that road regarding repair. He stated that the Town put two new culverts in last year. Concerned because farmer keeps ripping road up in this area. Councilmember Fred Arnold stated that Dave has recently had conversations with the farmer regarding destruction being done to road by them. He believes there is something in the mix to get road fixed, took John's phone number and address for Dave to get in touch with him regarding status.

Councilmember Fred Arnold requested a status update on Star Farm. **Treavor Gilday, Code Enforcement Officer** stated that Mr. Fetter's application is currently before the State Board of Appeals, anticipated hearing is May 15th. **Brian Burns** stated that the application before the State Board of Appeals is to address the need for fire suppression system not anything to do with building this illegally. **Treavor** stated that was correct, Town Court will determine fine for no Certificate of Occupancy. **Treavor** wanted to know how far the Town Board wanted to go with this. **Councilmember Ryan Flinton** wanted to know what tools the Town had for enforcement. **Treavor** stated that the person is taken to Town Court where they do one of three things: fine, cease and desist or in theory implement a take down order. There is a fee schedule established that the court system uses. **Councilmember Ryan Flinton** wants to make sure if this is a fee schedule the Town Board came up with that it is sufficient to stop this type of activity from happening. **Councilmember Fred Arnold** stated that this particular person doesn't care, he has a cease & desist order and he has continued to do what he wants. **Treavor** stated there was an error on his part for the original cease & desist order. He usually sends them out certified mail to home owner. This did not go out until last month. He can only write for not having a Certificate of Occupancy not for violating stop work order prior to last month when certified mail went out. **Brian Burns** stated that everyone is talking about this in Town. Look on his website and see the amount of money he is making on these events. All while he sits back and follows no rules and regulation set by Town, County or State agencies starting with Town. **Supervisor Michael Smith** stated that **Treavor** is following the Town's Local Laws to enforce a building that was built without a permit. **Treavor** stated that at the end of the day, this is an allowable use in this district under the Town of Galway Code. It would be a totally different conversation if it were not an allowable use in this district.

Councilmember Fred Arnold questioned status on barn on corner of County Road 45 & Crane Road, several pieces of metal roofing seem to be loose and ready to come off. **Treavor** stated that he has had two conversations with the owner Bonnie Donnan. He is giving her until Memorial Day to take it down. If it's not down by then, violation will be written. She has talked to several barn reclaiming company's and it is to far into

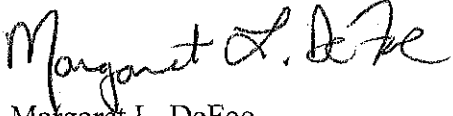
disrepair for them to be interested. **Councilmember Fred Arnold** stated that several years ago, Eva Hoffman's barn was taken down and put back up in Vermont. She passed away before she could see it redone. Phyllis Keeler past Historian was interview regarding barn.

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