

AGENDA**TOWN OF GALWAY
TOWN BOARD MEETING****October 10, 2023**

Call to order – Supervisor Smith

Roll Call – Town Clerk Defoe

Pledge to the flag – All

Approval of the minutes for the meeting held September 12, 2023

Communications Received – Town Clerk Defoe

Reports of Committees:

Historian

Youth Commission/Community Outreach

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 HA

Supervisor's Report

Budget Amendments

Resolutions:

Other Business

- we are looking for a new member of the planning board-Committee
- we received a price from Spectrum to extend cable along Donnan Rd for \$142,000

Priviledge of the Floor:

Adjourn

REGULAR MEETING
OCTOBER 10, 2023
GALWAY TOWN HALL

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

PRESENT: Supervisor Michael Smith Councilmember Fred Arnold
 Councilmember JoAnne Grant Councilmember J.D. Arnold

ABSENT: Councilmember Ryan Flinton

OTHERS PRESENT: L. LeClair; P. Flinton; S. Atkins; T. Boerenko; C. Moon; A. McPherson; C. Baxter; A. Decker, ZBA Chair; S. & F. Sutch; R. Daino, Planning Chair; F. Daino; B. Bischoff; W. Adair; B. Beyer; E. Currie; S. Costanzo; D. Costanzo, Highway Superintendent; M. Luetters, Code Enforcement/Building Dept. & M. DeFoe, Town Clerk.

Pledge to the Flag

A motion was made by Councilmember Fred Arnold, seconded by Councilmember J.D. Arnold to approve the minutes of the September 12, 2023 Regular Meeting as submitted.

All ayes.

MOTION CARRIED

Communications – Town Clerk stated the following correspondence was received: Highway Department Report for September with schedule for October; Community Service Report dated 10/10/23; Association of Towns Newsletter for October; Correspondence from NYS Dept. of Transportation Region 1 Planning & Program Management advising who contact person was for SEQR lead agency request & subsequent documentation (also given to Planning, ZBA & build. Department); Andy McPherson met with Supervisor Smith at ball field regarding proposed building, gave Board his proposed changes for site; proposed budget from Harmony Corners Fire District was put on website along with notification that their budget hearing was scheduled for October 16th at 7:30 p.m.; NYS Deferred Compensation Plan Newsletter; Notification of upcoming webinars from Office of NYS Comptroller; Assessor's request to have Board of Assessment Review Member paid \$50 for attending Grievance day and \$25 for attending training (she has offered that it can be taken from her A1355.4 account); Correspondence from Christopher Bradley, Community Engagement Specialist with Clear the Air in Southern Adirondacks program out of Glens Falls & Resolution is needed to accept Tax Collector Audit.

Councilmember Fred Arnold made a motion, seconded by Councilmember JoAnne Grant to approve the September 2023 General Abstract of Vouchers (A) for a total of \$13,565.58.

All ayes.

MOTION CARRIED

Councilmember JoAnne Grant made a motion, seconded by Councilmember J.D. Arnold to approve the September 2023 General Abstract of Vouchers (B) for a total of \$10,105.42.

All ayes.

MOTION CARRIED

Councilmember J.D. Arnold made a motion, seconded by Councilmember Fred Arnold to approve the September 2023 Highway Abstract of Vouchers (DA) for a total of \$18,152.59.

All ayes.

MOTION CARRIED

Councilmember Fred Arnold made a motion, seconded by Councilmember JoAnne Grant to approve the September 2023 Highway Abstract of Vouchers (DB) for a total of \$73,372.17.

All ayes.

MOTION CARRIED

Councilmember JoAnne Grant made a motion, seconded by Councilmember J.D. Arnold to approve the September 2023 Lighting District Abstract of Vouchers (SL) for a total of \$158.56.

All ayes.

MOTION CARRIED

Councilmember Fred Arnold made a motion, seconded by Councilmember J.D. Arnold to approve the Supervisor's Operating Statement for the period ending 9/30/23.

All ayes.

MOTION CARRIED

RESOLUTION #: 36-2023 – Set date for Public Hearing on 2024 Budget. 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 schedule a Public Hearing for review of the 2024 Budget to begin at 6:45 p.m. & Regular Meeting to begin at 7:00 p.m. on November 14, 2023. Legal Notice will be placed in Daily Gazette with proposed salary figures for Elected Officials.

All ayes.

MOTION CARRIED

RESOLUTION #: 37-2023 – Accept the Audit of the Tax Collector Books for 2023. On a motion of Councilmember Fred Arnold, seconded by Councilmember J.D. Arnold the following resolution was ADOPTED: AYES – 4 NAYS – 0

RESOLVED that the Galway Town Board accept the audit of the Tax Collector Books for 2023 as submitted.

All ayes.

MOTION CARRIED

Other Business – Supervisor Smith stated that a few people have shown interest in the Planning Board vacancy. He will set up interview with applicants, himself, Planning Chair Ruth Ann Daino & Councilmember Ryan Flinton the Liaison to Planning Board. If anyone else is interested submit a letter of interest within the next week or so.

Supervisor Smith stated with regards to discussion that have been going on regarding Spectrum coverage, he received email information from Spectrum indicating that it would cost \$142,000 to extend cable along Donnan Road. Supervisor Smith requested a detailed proposal on this extension of coverage for Donnan Road. He needs clarification on how they came up with this figure going off the contract which he stated was 16 homes per mile. He feels this is a ridiculous figure and needs a breakdown of cost estimate.

Supervisor Smith asked if there was any other business from Board, there was none.

Priviledge of the Floor – **Teal Boerenko** was upset with Supervisor Smith that he had not got back to her regarding his discussions with Spectrum from August. She would like the name &

documentation of conversation that Supervisor Smith had with Spectrum representative. On September 27th at 9 a.m. Teal stated that she talked with a representative at Tonko's office regarding grant funding availability for this type of project. She will get back to girl at Tonko's office with this information to help figure out how to get coverage to her road. **Bill Beyer** stated that he moved to Donnan Road in 2007 he was advised that cable connection would cost him \$15,000 for ¼ mile of cable. The poles are already placed on road. He stated that there is federal funding available for this, why is Spectrum stating Town needs to give them \$142,000. **Frank Daino** stated that he had three areas on tentative budget that he would like clarification on salary increases. Tax collector position with 20% increase; Culture & Recreation Playgrounds/Recreations 42.81% & Youth Programs 17.64%. Frank's question was how do we justify this kind of sizeable increases, what has changed with that job? In today's world, where are you coming up with these numbers and how do you think it is appropriate? How does this budget get approved? Supervisor stated that Town Board would approve budget. Frank stated that the Board needed to be more transparent with getting this information out to public, he doesn't understand increases and feels they are very inappropriate. **LuAnna LeClair** thanked Councilmember J.D. Arnold for going to School Board President to discuss building usage issues. For finding out that the school welcomes all activities & functions and encourages the use of school building. LuAnna wanted to focus on the Ethics Committee or lack thereof. The Ethics section of Town Code needs to be update. The actual ethical behavior & conduct, not just financial disclosure. It needs to call for a direct line of communication available to the public for addressing complaints, concerns & praise. Code of Ethics should have a second in command to preside over presentation of complaints. To prevent the official being complained about presiding over Town Board, which is a conflict of interest. Ethics Committee should be fully manned with five people comprised of individuals delegated by the public to insure confidence in process. Ethics Committee should not include Board Members or Public Officials who's views or approach to complaints or concerns could be influenced or biased in any nature. Public should be informed in every newsletter/publication how to contact Ethics Committee. This issue needs to be addressed immediately; it is demanded. The public has valid issues that need to be addressed. She then quoted Thomas Jefferson with reference to criminals & government and keeping government from becoming criminal. She again asked for the resignation of Supervisor Smith. **Sue Atkins** questioned why the agenda for these meetings are not on website before hand? **Supervisor Smith** stated that it is on website as soon as it is completed. **Audience** stated that agenda was not on website. Sue stated that last month it was determined that the general fund had over a million in it. What are your plans, if none Board may want to consider giving back in tax cuts. Supervisor Smith stated that it is the Board that makes the decisions on budget, not him. Supervisor Smith thanked Sue for her input. **William Adair** questioned if there was any update on comprehensive plan addressing Air B & B's? Supervisor Smith stated that Comprehensive Plan Committee has not got to point of review Air B & B's. **Brian Burns** stated that he just went on Town Website, nothing in Agenda for Town Board Meeting. Brian questioned where Town was with the requested from two months ago on salt shed from Highway Superintendent? He also questioned when Board was going to follow thru with discussion regarding referendum for community building? With reference to budget, Brian questioned what Colleen's position was and what does she do for Town? Supervisor Smith stated she was the

Community Outreach Coordinator. Brian felt that she was getting a huge pay increase for someone that works from home, would like to know what she actually does? Supervisor Smith state he just addressed that. Supervisor Smith requested that Highway Superintendent address status of salt shed. **Dave** explained the way the grant process worked. You have to be approved for project, before building can be built. It doesn't allow Town to build it and then be reimbursed. Brian had concerns with waiting until next year for this as the condition of salt shed is so bad and the product needs to be protected to salt/sand town roads. Is there another option as we wait for grant? Brian was concerned that Town spent the summer discussing a community center and salt shed is at stand still. Where is the Town with community center? Supervisor Smith stated that community center status is the same as it was three months ago. It has not moved forward, not sure if we are getting grant. If grant is approved Board will have discussion regarding going forward. Brian stated that he thought grant was guaranteed? Supervisor Smith stated that it was not guaranteed, needs to be approved in federal budget. Supervisor Smith stated that last month the Town Board did a resolution vote that they would go to referendum for community building. **Councilmember J.D. Arnold** questioned if Town could build salt shed and then get reimbursed? **Dave** stated that this grant works differently than most highway grants, can't build and then be reimbursed. Grant has to be accepted first then building can be built. Supervisor stated that answer to grant should come out in December. **Dave** stated that decision last year was due out in December but didn't come out until April. If you do anything, you will not get grant. Soil & Water could not explain to Highway Superintendent why grant was written this way. Hopefully, they will hear in December on grant. You then have to wait for them to send contract, have that signed & returned before they give you the go ahead on project. Best case scenario salt shed will be given the go for 2024. Cost for salt shed was \$465,461. Several people voiced their suggestion that salt shed be addressed before large salary increases. **Fred Sutch** stated that this could end up being an environmental issued with neighboring well and run off if not addressed. **Dave** stated that they can try and have just enough salt for what they need, but you get several storms they really need to have product here. **Dave** stated that current salt shed was created using telephone poles and rough-cut lumber, you can try and fix what we have but it's questionable. Brian felt it was important to address salt shed needs at this time, not to wait. Supervisor Smith questioned if Brian felt they should also go for a referendum on salt shed? **Elizabeth Currie** questioned what exactly the insurance company has said regarding salt shed. **Dave** stated that insurance company did a risk assessment and determined that salt shed needed to be addressed. He believes they will cover if something happens but they want Town to look into replacing or repairing current salt shed. **Sue Sutch** questioned shared services between townships. Could you store salt at another town. **Dave** stated in a pinch we probably could, but that would require three times the work. When you need the product, you need it. Weather is hard to determine. He uses shared services for other things and that is great, but this really need to be here. Town also has an agreement with the State for salt usage, Highway Department keeps track of their salt usage and then they replace it. **Dave Orzolek** asked if they had looked into storage shed like what they have in Providence? They kept it unlocked for public usage, out of weather. Highway Superintendent stated that was what they were looking at building, just at a slightly larger scale. **Dave** stated that salt shed would not be built this year. Grant approval will not come until at the earliest December. When **Dave** came before the Board in August, they

could have had salt shed up by end of November if Town wanted to give go ahead. If they were to get approval tonight it would be until probably the end of January to get it up. Can't do anything until they are awarded grant and contract is signed. If Town authorized funding for salt shed, grant is off the table. **Stephanie Burns** questioned why tax money is not being spent on things like a salt shed, yet you are considering this large pay increases? Supervisor Smith stated she had a copy of tentative budget. **Frank Daino** questioned how budget figures were formulated? Supervisor stated at workshops that public is welcome to attend Board worked thru budget figures. Frank questioned what justified these increases? Has the Town done a study of salaries from other Town's? **Brian Burns** stated that the public hearing on proposed budget was November 14th at 6:45 p.m. **LuAnna LeClair** stated that per F.O.I.L. Law, the public has the right to know the process of governmental decision making and be able to review the documents and statistics used to make these decisions. You should request a "true copy" because it then has to be certified. **Bradley Bischoff** stated that Town is making progress on website. The Town Board Agenda didn't make the agenda section of website. Please have Colleen address this in future. Planning & ZBA meeting when cancelled this month were not on calendar. Shout out to Town getting a full time Code Enforcement Officer, Max Luetters. The building department he feels has run a muck for a long time. They still have many items to work out. Requested an update on Star Farm. Supervisor Smith stated he didn't know, nothing to his knowledge. Brad stated litigation, cease, and desist? **Max Luetters** stated that he and the Planning & ZBA Chairs have been discussing on a weekly basis how to proceed. **Ruth Ann Daino** stated that court is done, total fine \$1,200. Brad stated that there needs to be better communication, what is status? **Brian Burns** advised that in the State hearing on Fetter application they had issue with Fetter application due to the need for sprinklers, application was denied. **Cathal Carr** stated that there were several costly items that the State had with application that caused them to deny application. **Brian** then stated his concerns with the Town not doing anything to address the needs of a salt shed when we have spent the summer discussing a community building. This is something that is needed for the safety of our roads. **Brad** stated his support of Town getting a committee together to review needs for community building. He was happy to hear that volunteers were interested in Planning Board position. He would like to be a candidate for Ethics Board, will send letter on interest. **Supervisor Smith** stated that they are still receiving surveys, compiling information from them. Supervisor stated that they will probably give it another couple weeks to get surveys in and then start focusing on information received. Supervisor Smith asked for a motion to adjourn. Councilmember Fred Arnold stated that he had a couple items that he would like to discuss.

RESOLUTION #: 38-2023- Additional Budget Workshop. Councilmember Fred Arnold would like Board to address the request of Assessor for payment of Board of Assessment Review as we pay other Boards. Supervisor will research at county to see if this is done. On a motion of Councilmember JoAnne Grant, seconded by Councilmember Fred Arnold the following resolution was ADOPTED: AYES – 4 NAYS – 0

RESOLVED that the Galway Town Board schedule an additional Budget Workshop for October 25, 2023 at 6:30 p.m.

All ayes.

MOTION CARRIED

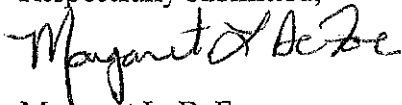
Brian Burns questioned if workshop was public? Town Clerk stated workshops are always public. **Teal Boerenko** requested that a meeting be set up with Spectrum to discuss what is needed to get coverage on her road. **Supervisor Smith** stated he could not understand their email price of \$142,000 for this. He wanted an actual proposal from Spectrum. Supervisor Smith suggested getting together with Teal so he could go over what he has received. Teal stated that he had stated in the past that he would get together with her and never did. Supervisor Smith asked when she would like to get together. They determined October 13, 2023 at 5:30 here at Town Hall. She would like someone else present for meeting. **Brian Burns** questioned what Max is listed under on budget? Supervisor Smith stated under Code Enforcement/Building Inspection. **Sue Sutch** pointed out in Budget under Public Safety Building Inspection where Brian could find salary figure. **Dave Orzolek** went into a discussion with Highway Superintendent regarding his request two meeting back to have some one look a water culvert issue and he stated no one ever came. **Highway Superintendent** stated that highway department went the next day to site and found the culver to be running freely with no issues. Culvert is 100' in off county road and is absolutely open on both sides. Highway will come tomorrow to go over where issue is with Dave. **Brad** asked that meeting dates go on calendar. Town Clerks stated that Colleen does calendar, Town Clerk will put meeting date on Important Notice section of website tomorrow for workshop. **Audience** requested that notification go out to public before referendum vote just comes up.

Councilmember Fred Arnold made a motion, seconded by Councilmember J. D. Arnold to adjourn the meeting at 7:55 p.m.

All ayes.

MOTION CARRIED

Respectfully submitted,



Margaret L. DeFoe
Town Clerk