

REGULAR MEETING
JANUARY 9, 2024
GALWAY TOWN HALL

Supervisor J D. Arnold called the Meeting to order at 7:00 p.m. The following Town Board Members were present:

PRESENT: Supervisor J. D. Arnold Councilmember Fred Arnold
 Councilmember Ryan Flinton

OTHERS PRESENT: D. Costanzo, Highway Superintendent; T. O'Brien, Dog Control Officer; M. Luetters, Code Enforcement/Building Administrator; S. & B. Burns; A. McPherson; S. Costanzo; H. O'Brien; L. LeClair; J. Trainor, Attorney; E., B. & J. Ross; D. Knizek-Neahr, Historian; B. Bischoff; R. Daino, Planning Chair; F. Daino; A. Decker, ZBA Chair; S. & F. Sutch; C. Arnold; S. Atkins; L. Boerenko; C. Moon; C. Baxter; M. DeFoe, Town Clerk and many more Town Residents.

Pledge to the Flag

Supervisor J.D. Arnold stated that they would be doing things different tonight as they don't have a full Board. He was confident that interviews would be done and Board Member would be put in place in February. Supervisor stated that things were a bit of a mess and they had something to work out. He believes they will be able to get things back on track shortly. He thanked fellow Board Member for picking him to go forward with the leadership position of Town Supervisor, thanked them for the confidence in him. Supervisor J.D. Arnold stated that he's taking this responsibility very seriously. He cares for this Town very much and it has become disconcerting over the last couple of years to see what has been going on. We are going forward; this is in the past. Supervisor J.D. Arnold would like to clarify positions open at Town currently as newsletter article was not accurate. Supervisor position has been filled by himself; interviews have begun for the two open Board Positions, he has interviewed four people and at least three more to interview. Seven candidates for Town Board positions to date. He has not been in a position of management; in the past he has either worked for or by himself. J.D. is very optimistic that this change is going to be a good one. Bookkeeping position was stated that it was open in newsletter and it is not. Brandon Spagnola an Accountant has been hired for this position. With an accountant doing that position we will be doing things different going forward. Supervisor J.D. Arnold stated that the six-week resignation notification did nothing for the Town. It would have been easier to just leave when resignation was put in. This tied Board's hands to act on anything until January 1st, no official business to address these resignations could be done during that six-week time frame, Brandon has got quite the surprise opening the bookkeeper drawers. If someone wants to resign in the future, please just go that day. Brandon just got access on Friday and has Supervisor's Report and Abstract done tonight. He has stepped up with little time and is getting the work done. Community Outreach Coordinator position indicated in newsletter as open will be left open for some time. We need to understand what we really need before just filling positions. Tax Collector position was another position in newsletter that was said to be open. When J.D. went to training at County for Supervisor position, he was advised that tax bills needed to be printed in December and County needed to know who would be doing taxes. The only logical solution to that problem was Peg. Supervisor J.D. Smith thanked Town Clerk for stepping up and helping out with this, if she had said no, I don't know what the Board would have done. We didn't advertise for either Bookkeeper or Tax Collector as we were going against the clock and needed people in place for the 1st. Things will be open and transparent; this was one of those cases that we had to address immediately. We couldn't wait for the organizational meeting a few days after tax bills were due to appoint Tax Collector. Newsletter also addressed Clerk to Building Department which will not be filled at this time, Max was hired as a full-time position and after discussions with Supervisor doesn't feel position is needed at this time. Supervisor is very thankful for the work Max is doing. Zoning Board of Appeals position is open, interviews will be going on for that. Town Attorney retired and position was also open. Attorney Trainor, Pezzulo and DeSanto Office is our Planning & Zoning Attorney's. In an effort for continuity Supervisor Arnold talked with Jim and they were willing to fill the role as needed for Town.

Attorney. He has signed a contract with their office for the year, Trainor will be Town Attorney, Pezzulo will take care of Planning & DeSanto will take ZBA. Youth Commission is still an open position. For the next three-month Supervisor J.D. Arnold will be easy to find if you want to discuss something, he will be here pretty much full time. This was something he always wanted to do. Didn't plan on this now, was thinking he would go after it hard in two years. With the support and encouragement of his wife he gave his employer two weeks' notice so he can devote the needed time to Town. Will take a planned vacation at the end of March and determine where we are at. Will probably get something part-time once things are settled here, he is fully committed to getting things straightened out. Next month he will be placing on Agenda a spot to discuss County level information he feels needs to be given to residents. This is an area he feels in the past was not addressed as it should be. A lot of things will be impacting the Town on a County level and he feels we should know about it before it's here and we have to deal with it. This will mainly be financial impact issues. Medicare funding issues will have a huge impact with the influx of people coming in and having to be cared for. Eventually this will impact Town's sales tax revenue. With this in mind he will ride on the side of conservative financial planning for the Town. A really cool thing on County level is that they are working on the 250th Anniversary of the Revolutionary War. Big program set up for 2026. Would like to put the last couple years behind us. The people that come here really don't have anything to fight about, we love our Town and want to see things done properly. If we go into our discussions of things with this in mind the temperature will get turned down. We will disagree at times but you pay us to make these decisions in the best interest for the tax payers of the Town of Galway. Supervisor J.D. Arnold thanked the audience for the opportunity the Board has been given to address everything on a Town level. He will be getting back to people with findings and what they plan to do to make things better. It has taken us a few years to get into the predicament we are in, and it will take some time to get out. There are many rumor mills going around. If you haven't heard it coming out of my mouth it probably wasn't said. If you have a question regarding any comment, you have heard please contact Supervisor for clarification. J.D. stated that he has had zero comment since the 13th of November. Any issues or comments please contact Supervisor. We currently have more applicants than positions open with Town, please don't get discouraged if you don't get appointed at this time more positions will be needed. If you want to help us in some way, there will be volunteer position available.

A motion was made by Councilmember Fred Arnold, seconded by Councilmember Ryan Flinton to approve the minutes of the December 12, 2023 Regular Meeting & the January 4, 2024 Organizational Meeting as submitted.

All ayes.

MOTION CARRIED

Communications – Town Clerk stated that Board Members received copies of the following correspondence: Andy McPherson gave Board Members a Merry Christmas & Happy New Year "The Future We Want"; Thank you from Galway Food Pantry for Town's continued support; Changes in Election Law from Governor Hochul regarding Even Year Election Legislation Adopted, County will advise how this will go forward; Green Energy Times; Office of the NYS Comptroller advising of upcoming webinars; Letter of interest from Brian Burns for open Town Board position; Dog Control Officer Report for November & December, Dangerous Dog Complaint & Notice of Hearing; Planning & Zoning Conference information given to Town Board; Planning Board; Zoning Board & Building Department; December Highway Report with schedule for January; Town Clerk did end up getting copy of Christine McCormack's resignation letter from ZBA; Letter of interest for Zoning Board Position from Brad Bischoff & Packet from Association of Towns regarding NY City training February 18-21st if anyone is interested in attending.

Supervisor J.D. Arnold stated that Supervisor & both Town Board Members that will be appointed will need to run for election in November of this year to fill the remainder of each term. All positions are 4-year terms, so Supervisor will run in November to finish term to expire 12/31/25 then he would need to run again the following year to begin the next 4-year term, Both Town Board positions just ran in November, so they would need to run in November of this year to finish the 3 remaining years of their 4-year terms to expire 12/31/27. Brandon & Supervisor Arnold will be attending training in Albany the week after next for newly elected Supervisor's & financial officers for Town's. This will be 2 1/2 days of training that they will commute to daily. Town pays \$200 training for each.

DEPARTMENT HEAD REPORTS: Historian - Darby advised still working on the items she mentioned last month. August 18, 1803, Mordecai Gifford is interested in donating a table that he made to Historian's Office. Still doing research on this. Dave Wade did a presentation to Preservation Society on his book on short story's. Darby stated that County Board of Supervisor's Meetings are taped you can watch live or taped version. J. D. stated that you could get to this thru Board of Supervisor's website. Darby will be changing out the display cases next display will be community organizations.

Building Department- Max stated that he essentially monitors building & development in town. Monitoring comes from verifying permits or applications meet or exceed state & local guidelines. Whatever code is applicable for permit. His goal is to protect both the public & Town. He is in contact with Town Supervisor on a daily basis to keep him informed of progress. Right now, he has been able to close out about 10% of permits in office, goal is to change that 10% to 80%. Large portion of closing out files has little to do with him, more to do with public. Supervisor knows exactly how many files are outstanding. Any questions feel free to call or email. Supervisor Arnold asked that he explain a little of the process involved in closing out these permits. J.D. stated that some of the problem was that permits were issued but not closed out, now there is a large backlog of files to close out. He enforces local building laws and building code and really can't deviate from that in any way regardless of what was explained when you applied. There is still a level of minimum code standards that he must adhere to be it locally or state. Guidelines have to be followed and guidelines change in the course of four years. He has touched 70% of permits in office. Is hoping to close out 80% within four months, has a plan in place to complete this. Had a Clerk in place since he is full time, he was hoping that salary could be used for Attorney fees for the complexity of closing out some of these files. Confident that those legal fees will not exceed the salary figure that was in place for Clerk. Making sure the appropriate steps are being done that might not have been done previously. Supervisor Arnold thanked Max for the hard work, he is doing great. Supervisor Arnold stated that money will be spent on training. Legal or professional fees to do the job right will be authorized. Councilmember Ryan Flinton questioned if the need was there for additional Code Enforcement help? Supervisor Arnold stated he and Max talked about that and determined that at this time no additional help was needed. Option is there if needed Councilmember Flinton wanted to keep ahead of things. Supervisor Arnold stated there are open permits from 2019. Brian Burns questioned if there was liability if Treavor authorized things and now Max is stating it's no good? Supervisor Arnold stated that there was strong potential for this.

Supervisor J.D. Arnold advised audience of items found within A Abstract. Councilmember Fred Arnold made a motion, seconded by Councilmember Ryan Flinton to approve the December 2023 General Abstract of Vouchers (A) for a total of \$16,924.56.

All ayes.

MOTION CARRIED

Supervisor went over items within B Fund. Councilmember Ryan Flinton made a motion, seconded by Councilmember Fred Arnold to approve the December 2023 General Abstract of Vouchers (B) for a total of \$2,492.53.

All ayes.

MOTION CARRIED

Supervisor went over items in DA Abstract. Councilmember Fred Arnold made a motion, seconded by Councilmember Ryan Flinton to approve the December 2023 Highway Abstract of Vouchers (DA) for a total of \$58,737.53.

All ayes.

MOTION CARRIED

Supervisor went over items in DB Abstract. Councilmember Ryan Flinton made a motion, seconded by Councilmember Fred Arnold to approve the December 2023 Highway Abstract of Vouchers (DB) for a total of \$4,690.85.

All ayes.

MOTION CARRIED

Supervisor Arnold explained where SL Abstract lighting was, Councilmember Fred Arnold made a motion, seconded by Councilman Ryan Flinton to approve the December 2023 Special Lighting District Abstract of Vouchers (SL) for a total of \$223.08.

All ayes.

MOTION CARRIED

Councilmember Ryan Flinton made a motion, seconded by Councilman Fred Arnold to approve the December 2023 Trust & Agency Abstract of Vouchers (TA) for a total of \$162.12.

All ayes.

MOTION CARRIED

Supervisor J. D. Arnold advised that Supervisor's Report lets you know where you are financially with each fund. Councilmember Fred Arnold made a motion, seconded by Councilmember Ryan Flinton to approve the December 2023 Supervisor's Report.

All ayes.

MOTION CARRIED

Board Member didn't feel Executive Session was needed tonight.

Again, Supervisor J.D. Arnold thanked Fred & Ryan for all their help.

Supervisor J.D. Arnold stated that Councilmember Fred Arnold volunteered to work as Town Representative with Spectrum and neighbors to try and get coverage to these roads. Town Clerk stated that contract was up for renewal this year.

Supervisor J.D. Arnold would like Councilmember Ryan Flinton to spear head a committee of Town residents to look into and discuss/analyze/study true needs for Town that aren't being met. Once this is compiled, we will have a better handle on what is needed. Brian Burns questioned timeline. Supervisor Arnold stated that he asked how this worked at County. Federal Government is being funded by continuing resolutions. Impression he gets is that Federal Government will be funded by continuing resolution thru the next election. There is a possibility that there won't be an approved Federal Budget in 2024. They may continue thru continuing resolutions thru year until election, and then the fighting starts again. Grant was supported, but until that budget passes money will not be coming. Councilmember Ryan Flinton stated that he wanted to review the Engineering work to actually see what has been done before he goes further. Would like to get people together that represent all voices of Galway when setting up committee. Referendum was approved so more information is needed before we are ready for put before people for a vote. Question was asked if this was tied to Comprehensive Planning Committee. Supervisor J.D. Arnold stated in a round-about way it could be, but not really. Brian questioned if the Comprehensive Planning Committee was going to continue. Supervisor J.D. Arnold stated that it would continue, project has extended beyond original time slot given to get Comprehensive Plan done. Original date of completion was right about now. Doesn't appear that we are any where near completion. This is another item that was dropped that Supervisor will need to get to. J.D. stated that we need to address things with a critical path management vision first, but the fires out that need to be addressed. He is very confident that Brandon has already got a good handle on correcting different issues and getting the right answers. We need to get someone to do website, Facebook updating. Councilmember Ryan Flinton had advised the Town Supervisor that there are companies out there that can serve as an email alert system. Ryan is looking into this. The more information we can get out on a timely basis the better. Town website will be the location to get information going forward, not necessarily right now but in the immediate future. Supervisor currently doesn't have a computer; it has been ordered. Supervisor stated that it was great to see so many people attending meetings, in the past it was basically department heads. There will be no secrets or surprises. Darby would like to see a Town employee email system set up for example advising that newsletter articles will be needed by a certain date instead of your article is due now. Councilmember Fred Arnold stated that the County does something similar with general updates.

Privilege of the Floor – **Bob Ross** stated when negotiating contract with Spectrum he feels it should be for a shorter time frame (couple of years). Town Clerk stated that she believes minimum time frame is 10 years. Remaining coverage issues should be a big part of that contract. **Heather O'Brien** stated that she put in a Freedom of Information Request back in August, information was very lacking. She then put a certification request in on F.O.I.L. and the past Supervisor gave her nothing. Town Clerk felt that Board now has the ability to request information from our IT provider on emails and cell phone company would need to be contacted for text messages. Supervisor doesn't have a compute to date once this is received process could begin. Town Clerk stated that several years ago we had a large F.O.I.L. that addressed similar issues, we had a Law office that worked primarily with F.O.I.L. issues help with that request.

Information was reviewed and redacted information was blocked out information was then given. Clerk was not really sure on how we will get to that point. Information was not given from past Supervisor on email & text message request. Clerk was compiling different department head text & email correspondence. The only thing the Supervisor provided was a picture Chuck Fetter sent him of completed building. Heather also questioned if the salary for some of the appointed position would be looked at before hiring, specifically Community Service Coordinator. Supervisor J.D. Arnold stated that position is open and will remain open indefinitely. Heather also suggested appointed positions going back to hourly instead of salary. **Brad Bischoff** questioned if outside audit by State was going to happen. J.D. stated that he is trying, he has reached out to Comptrollers Office. He believes they focus on areas that they feel can be fined, which he doesn't believe Galway falls into. He feels with having an accountant in house, access to Williamson Law Staff and the other CPA we will get to the bottom of everything. He's just not sure the State Comptroller will do an audit. Accurate fund usage needs to be addressed. Sales tax, late fees & added interest will not be acceptable procedures. **Brian Burns** with regards to unanswered Freedom of Information Requests they asked Supervisor Smith for job Colleen held, job descriptions, amount paid & hours she worked from home & office. Supervisor stated for two months that he was working on this and would get information to them nothing was ever given. He doesn't feel their resignations should negate what they were doing when they were running Town. J.D. stated they have gone and we remain, lets go forward. **LuAnna LeClair** stated that she wanted to thank J.D. for stepping up when he was needed. **Bob Rose** questioned what type of checks & balances they have in place. J.D. stated that they just went to bank today J.D. is a signer on check and Fred is another signer if he is away or unavailable. Brandon has access to everything but can't sign. Councilmember Fred Arnold stated that only one signature is required on payments. **Brandon Spagnola** stated that regarding checks & balances he processes Abstracts the Town Board then review Abstract for accuracy signing off on each voucher. Brandon cuts checks and Supervisor again checks for accuracy. **Councilmember Ryan Flinton** stated that Board has signed each Abstract right along. J.D. stated they would now be signing each voucher along with Abstract per Williamson Law instructions from State. LuAnna stated she would be glad to help in any way with volunteering her time.

On a motion of Councilmember Fred Arnold, seconded by Councilmember Ryan Flinton the meeting was adjourned at 8:22 p.m.

All ayes.

MOTION CARRIED

Respectfully submitted,

Margaret L. DeFoe
Town Clerk