

REGULAR MEETING  
MARCH 12, 2024  
GALWAY TOWN HALL

Supervisor J.D. Arnold called the Meeting to order at 7:04 p.m. The following Town Board Members were present:

PRESENT: Supervisor J. D. Arnold                      Councilmember Fred Arnold  
                    Councilmember Ryan Flinton                      Councilmember Daniel Clemens  
                    Councilmember James Ross

OTHERS PRESENT: D. Costanzo, Highway Superintendent; T. O'Brien, Dog Control Officer; M. Luetters, Building Inspector/Code Enforcement; A. Decker, ZBA Chair; D. Knizek-Neahr, Historian; B. Spagnola, Bookkeeper; C. Moon; C. Baxter; S. Costanzo; T. & J. Boerenko; F. & S. Sutch; A. Rhodes; L. LeClair; B. Adair; M. Rathbun; A. McPherson; P. & T. Venditti; E. & D. Currie; B., J. & M. Ross; M. & D. Baxter; D. McDevitt; M. DeFoe, Town Clerk and many more Town Residents.

Pledge to Flag

On a motion was made by Councilmember Fred Arnold, seconded by Councilmember Ryan Finton to approve the minutes of the February 13, 2024, Regular Meeting as submitted.

All ayes.

MOTION CARRIED

Communications – Town Clerk read legal notice placed in Daily Gazette on 2/17/24 advising of the 4 ton weight limit restriction on Town of Galway Roads, Highway Superintendent Costanzo will go over Report for February along with Schedule for March & correspondence from Soil & Water; Information from Governor's Office was received regarding \$60M Restore NY Application Launch; Teal Boerenko sent information to Councilmember Arnold regarding phone numbers for Samuel Parker from Spectrum & Jim McCulley; Notification of Planning/Zoning Training sponsored by Fulton & Montgomery Planning Board (Given to Planning/Zoning Boards); Smart Cities Council regarding 8 Key Global Events; RISE will present "The Rocky Horror Picture Show" on 10/25/24 along with their newsletter; Office of State Comptroller regarding upcoming accounting schools along with weekly newsletter; Association of Towns Local Lobby Day March 20<sup>th</sup> along with monthly newsletter; United Way celebrating International Women's Day; Dog Control Officer Log for January & February & Notification from the Department of State that Annual Report of Code Enforcement Activities for Town is due by April 1st (forwarded to Max).

Reports of Committees – **Supervisor Arnold** stated that the Town had a gentleman that was hired to do work in the building department. This was scanning documents so that they could migrate away from paper records. In the building department that really doesn't make a lot of sense. He has been scanning for 8-9 months with the previously assured information that this was being done in the manner approved by the Retention & Disposition Schedule for NY Local Government Records. This may not be the case; Max contacted the state and was advised on what the required/acceptable manner for document scanning which we were not following.

Instead of continuing down this wrong path they had stop and ultimately let him go last Thursday. What was troubling to the Supervisor regarding this was that usually when you are let go from your job you have to take some responsibility for that; in this situation the gentleman didn't. Everything he did was right & proper, attendance was great, he worked to the best of his ability and in the end, it was all for not. He had this very difficult discussion with him and explained the situation to him, leaving on good terms with the understanding if something arose in the future his employment with the Town would be revisited. This was a very hard thing to do and it bother Supervisor Arnold greatly.

Grant funding has been approved for the Community Building. Congressman Tonko has given Supervisor Arnold confirmation that funding is there. With all the discussion regarding building and the ability to go to referendum for community vote Supervisor feels we should get a valid construction cost estimate. Town received a grant from County Planning so he is submitting the building plans & site plan to the Town Engineer to work with a construction manager on our behalf to come up with a firm figure on what this building will cost. He feels this is critically important to know going into this what the costs will look like.

Dates have been set for different events all to be held at the Dockstader Pavilion & Fields. Family Fun Day will be June 15<sup>th</sup> from 12-3; Blueberry Festival July 27<sup>th</sup> 9-2 & Harvest Festival October 26<sup>th</sup>. If anyone is interested in helping out with these event's please contact J.D. and he will put you in contact with someone. Galway Rotary Club is taking the lead on both Blueberry Festival & Harvest Festival.

Food pantry food run is coming up on the 22<sup>nd</sup> if anyone is interested in helping let J.D. know. They used the Lion's Club Traylor thinking that they had permission, turns out they didn't. Went into funny story on that with police involved, everything worked out. Supervisor Arnold hopes the next food run goes better! Pantry does a tremendous amount for community. There are at least 82 family's that use the pantry weekly as well as others. Usually, they get deliveries once a month but this month the school has a break so families will need additional food while kids are home.

Supervisor Arnold stated that he wanted to address a few issues that have been coming up, website is looking good. Many updates have been made to that. For the time being, this will be the only official site for Town business. Short Term Rentals was another issue that keeps coming up. Supervisor had a meeting with the County Planning Department to find out what the County's stance is on this and how other Town's are addressing it. There was a Planning/Zoning Conference held where a power point presentation was provided on short term rentals. Supervisor has this in his office if anyone wants to review it. County is in a holding pattern to see how the State addresses this. That is the suggestion that they gave for Galway, as State decisions will supersede anything Town puts into place. Saratoga is always in the news regarding this, may not be such a hot topic in other areas. Supervisor & Bookkeeper will be attending a Town Finance School in May, mainly having to do with budgeting. The people that resigned as of the end of year have received their last paycheck and that is now behind us. Supervisor is very excited to attend this budget conference as this will be his first time heading the budget process. Budget adjustments will be needed during the year to address short falls due

to extra Attorney & Engineering costs along with Health Insurance being under budgeted significantly.

**Highway – Superintendent Costanzo** advised that for February they plowed & sanded road two days for a total of three rounds; cut & chipped overhead brush on Donnan & Parkis Mills Road; posted road for 4-ton weight limit; received information from Dustin Lewis of Saratoga County Soil & Water that Town was not approved for salt shed grant along with updated price sheet for a salt shed & due to weather Highway Department was able to start ditching some problem areas on Lake Road to alleviate some water issues. Schedule for March, hopefully not much plowing; will continue to cut & chip overhead brush on Parkis Mills Road; weather permitting continue with ditching, the clean up from wind storm took four days to complete. Bid price for salt shed has gone up substantially as everything else has. If Town decides to do this, there is a 14 week turn around for completion. Board will need to decide on how they want to go with salt shed, not necessarily this meeting but soon. The cost will be \$518,584.00 now, up from \$461,000+ last November the previous year \$380,000+. Current salt shed was built in roughly 2000 out of telephone poles & rough-cut lumber. Highway Department patched it together with 3/4" plywood to get us through winter. Been storing salt in a make shift bunk with a tarp.

**Building Department – Max** stated in January he had stated that his goal was to close out 80% of the permits; not sure if he is on the path to achieve that. Currently he has closed out 26 permits with 13 more ready to close. He has been working closely with Planning & Zoning Chairs; Town Supervisor; Town Attorney & Town Engineer to achieve certificates of occupancy & certificates of compliance. Solar Project & Blueberry Farm along with Farm Stand on 29 being a few of the larger projects. Max has achieved about 95% of every open building permit in office of serious nature, decks & sheds are currently being set aside. Single family homes; accessory structures; demolition permits; reroof/residing; charging stations; generators; septic; fuel firing heat producing equipment; above ground pools. He has touched all of these but sometimes it is out of his hands, applicant needs to then do their part to get the needed information to him to allow him to close out a permit. Max thanked the Town Supervisor; Town Clerk; Planning & Zoning Chairs; Zoning Clerk & Assessor for all their help in getting him towards accomplishing his goals.

**Youth- Councilmember Fred Arnold** stated that Family Fun Day would be held on June 15<sup>th</sup> from noon to 3. If anyone would like to participate contact Peg or himself and they will put people in contact with them. Looking at having food trucks this year, with tickets given at door for free item. It's a fun event for the kids, with many activities.

**Dog Control – Tom** stated that he had nothing in addition to report. Supervisor J.D. Arnold stated that Tom has had (3) dangerous dog cases in a very short time frame. Martina Ross stated that she was involved in one prior to these. Tom stated that he has been in court a lot lately regarding dangerous dog issues. Supervisor thanked Tom for what he does!

**Historian – Darby** advised that she was reached out from the Real Estate Agent selling the home that was once a church on Mechanic Street at the end of Dean Lung Road for history on building. Church was built in 1814 earliest denomination of Christianity in the State. Previous

Historian Phyllis Keeler had a file on this church. Darby has been trying to find out more information regarding where home was located in town with reference to donation of table to Historian's office. Come to find out Fred & Sue Sutch's property is where the home originated. It was taken down, but original building was on the corner of Route 29 & Greens Corners Road. Will do some further History discussion with Sue on this. This has piqued her interest into investigating North Galway further.

Supervisor J.D. Arnold stated that the larger items on this (A) Abstract were for Attorney Fees and IT fees. Councilmember Fred Arnold made a motion, seconded by Councilmember Daniel Clemens to approve the General Abstract of Vouchers (A) dated 3/12/24 for a total of \$39,830.64.

All ayes.

MOTION CARRIED

Councilmember Daniel Clemens made a motion, seconded by Councilmember Ryan Flinton to approve the Ambulance Fund Abstract of Vouchers (AM) dated 3/12/24 for a total of \$183,000.47. Supervisor Arnold stated this was the annual funding that the Town provides the Ambulance Corp.

All ayes.

MOTION CARRIED

Supervisor J.D. Arnold advised that the (B) Abstract had a large amount of payment going to Attorney. Councilmember Ryan Flinton made a motion, seconded by Councilmember James Ross to approve the General Abstract of Vouchers (B) dated 3/12/24 for a total of \$14,849.60.

All ayes.

MOTION CARRIED

Supervisor J.D. Arnold advised that the (DA) Abstract consisted mainly of parts & supplies. Councilmember James Ross made a motion, seconded by Councilmember Fred Arnold to approve the Highway Abstract of Vouchers (DA) dated 3/12/24 for a total of \$19,840.92.

All ayes.

MOTION CARRIED

Supervisor Arnold stated that the (DB) Abstract consisted of supplies, uniform & insurance payments. Councilmember Fred Arnold made a motion, seconded by Councilmember Daniel Clemens to approve the Highway Abstract of Vouchers (DB) dated 3/12/24 for a total of \$4,630.25.

All ayes.

MOTION CARRIED

Supervisor Arnold stated that the (SF1) Abstract was annual funding for Galway Fire District. Councilmember Daniel Clemens made a motion, seconded by Councilmember Ryan Flinton, to approve the Galway Fire District Abstract of Vouchers (SF1) dated 3/12/24 for a total of \$325,000.05.

All ayes.

MOTION CARRIED

Supervisor Arnold stated that the (SF2) Abstract was annual funding for Harmony Fire District. Councilmember Ryan Flinton made a motion, seconded by Councilmember James Ross to approve the Harmony Fire District Abstract of Vouchers (SF2) dated 3/12/24 for a total of \$20,377.29.

All ayes.

MOTION CARRIED

Supervisor Arnold stated that the (SL) Abstract was for lighting district. Councilmember James Ross made a motion, seconded by Councilmember Fred Arnold to approve the Special Lighting District Abstract of Vouchers (SL) dated 3/12/24 for a total of \$186.94.

All ayes.

MOTION CARRIED

Supervisor Arnold stated that the (TA) Abstract consisted of deferred comp, & health care expenses. Councilmember Fred Arnold made a motion, seconded by Councilmember Daniel Clemens to approve the Trust & Agency Abstract of Vouchers (TA) dated 3/12/24 for a total of \$2,822.74.

All ayes.

MOTION CARRIED

Supervisor Arnold stated that the (TT) Abstract was for property taxes at the Gravel bank owned by Galway, Milton & Providence. Councilmember Daniel Clemens made a motion, seconded by Councilmember Ryan Flinton to approve the Tri-Town Gravel Abstract of Vouchers (TT) dated 3/12/24 for a total of \$458.03.

All ayes.

MOTION CARRIED

**RESOLUTION #: 10-2024** -- Request audit of Town Books for fiscal year 2022 & 2023 from the Office of the State Comptroller. On a motion of Councilmember Ryan Flinton, seconded by Councilmember Fred Arnold the following resolution was ADOPTED BY ROLL CALL VOTE:

Councilmember Fred Arnold – AYE                      Councilmember Ryan Flinton – AYE

Councilmember Daniel Clemens – AYE              Councilmember James Ross – AYE

Supervisor J.D. Arnold – AYE

RESOLVED that the Galway Town Board request an audit of the Town of Galway Books for the fiscal year 2022 & 2023 from the Office of the State Comptroller.

5-AYES

0-NAYS

MOTION CARRIED

Town Clerk questioned if we had wording on Audit request? Supervisor stated that they would work on wording together. Supervisor stated that he will now be voting last as he feels that in case of a tie, he should be the tiebreaker.

There was no interest by Town Board to go into Executive Session.

Other Business – None.

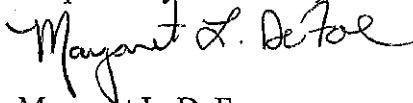
Privilege of the Floor -- **Melissa Rathbun** questioned why a building permit was needed to replace a roof on an existing structure? **Max** stated that there were minimum code standards that needed to be followed for residing or reroofing a house. Securing a permit is the only way to make sure those requirements have been met. **Daniel McDevitt** advised that he came in late to meeting, asked Supervisor to go over short-term rental plans. Supervisor Arnold recapped his conversation with the Saratoga County Planning Department regarding how they will be addressing short-term rental, advised that Town would be following their lead. Daniel questioned why the Town would be concerned with short-term rental to begin with. Supervisor Arnold stated that in the Town it is his opinion that this is more a perceived problem vs. an actual problem. He doesn't feel that Galway is by any means similar to City of Saratoga Springs. He feels Saratoga is more of a money grab issue. Many of the homes in Saratoga are being purchased with no intent by new owner to ever live there. **Bob Ross** stated that there are over

100 LLC buying up property in Charlton many of which are out of Delaware and are untraceable. Bob stated that there are many illegals currently living in Charlton. Supervisor Arnold stated that he was not aware of this. Bob then questioned if the grant money for Community Building could be used for Salt Shed. Supervisor Arnold stated that it wasn't that simple, grant funding can't be transferred. Supervisor discussed possible doing something on smaller scale with Tonko's office and they advised that grant was for original project, it can't be substantially altered. **Brian Burns** asked for clarification on grant. Supervisor Arnold stated that a lot of the items that made this project appealing for approval were not addressed in project. Supervisor stated that it was done under the idea that it would be a community shelter if needed; yet no emergency generator, air conditioning or cots were included in plan. Brian stated that the best interests of the Town need to come into play, there was COVID funding in budget that could be used for a good portion of salt shed which is allowed under infrastructure/highway. He feels that the funding for community building grant should not be accepted and Town needs to focus on this need as September/October will be here again before you know it. Supervisor Arnold told Brian that the Board is being very thorough before they make any decisions. Senator Tonko asked Supervisor what exactly his intentions were regarding project. Supervisor Arnold enlightened Senator Tonko regarding the fact around project. If he was told that once grant came, we would be ready to go to bid and construction would begin in 60 days following; that was not accurate information. Design is not complete, site plan was conceptual and a few more issues were not ready. The Town Board before they put money out on bid documents needs to spend some money to get an accurate construction estimate from a very reputable construction manager. Councilmember Ryan Flinton stated that size didn't require a sprinkler system in proposed building. **Patty Venditti** feels with reference to short term rentals that the Town should decide regarding the feel of the community before State makes determination on how things will be handled. With reference to Community Center, was a needs assessment done? Supervisor Arnold stated that no needs assessment was done, that is why Town is in the situation it is regarding building. If it gets to the point to go forward, Town Board made decision to go to referendum vote before they proceed. If construction estimates come in at an absorbent cost, it wouldn't make sense to Supervisor to proceed. Not sure what the time frame on grant is as Town has no documentation on grant at all. Appropriation was made in Federal Budget. Supervisor is not sure at this point what the time frame is on grant, just found out that it was awarded in budget. Supervisor Arnold stated with reference to short-term rental, Jim Snyder ZBA Member attended, he has report that he's sure he would share with anyone that want's a copy. **Jim Snyder** went over the Caroga Lake report advising that they have concerns regarding declining enrollment; affordability of housing in Caroga for people that actually want to live their full time. They have a large concentration of rentals on east & west Caroga Lake. How Caroga did their research was looking into similar community regulation in place or draft form and cut & pasted areas they wanted to address into their proposed regulations. One of the big issues is garbage removal. In Fulton County, once a property goes to commercial property usage their transfer station doesn't allow commercial waste usage. This is a problem they need to address. It looks like Caroga will be going forward with their regulations. Some Towns have decided to set into place their own regulations before the mandated State regulations come forward. **Brian Burns** felt Lake Association would be the ones to oversee this type of activity in

Lake District. Maybe conversations should be made with Lake Association on their take on rentals. Supervisor Arnold stated the difference with Galway Lake is no motorized boats are allowed on Lake, he feels this keeps it more of a family low key atmosphere. **Bill Adair** stated that people renting these places are going to go to Saratoga and party and then come back to Galway at 2:30 a.m. and disrupt neighbors. Bill stated that there are many of these places throughout the entire Town not just in Lake District. **Andy McPherson** gave Board Members a copy of Green Energy Times.

On a motion of Councilmember Ryan Flinton, seconded by Councilmember Daniel Clemens the meeting was adjourned at 8:02 p.m.

Respectfully submitted,



Margaret L. DeFoe  
Town Clerk

**AGENDA**  
**Galway Town Board Meeting**  
**March 12, 2024**  
**7:00p.m.**

Call to order – Supervisor Arnold

Roll Call – Town Clerk DeFoe

Pledge to the flag – All

Opening remarks

Approval of minutes of the meeting held 02/13/2024

Communications Received – Town Clerk DeFoe

**Reports of Committees**

**Historian**

**Building Department**

**Highway Department**

**Youth Commission**

**Supervisor**

**Dog Control**

**BUDGET**

1. Approval of Abstract Fund A
2. Approval of Abstract Fund B
3. Approval of Abstract Fund DA
4. Approval of Abstract Fund DB
5. Approval of Abstract Fund SF1
6. Approval of Abstract Fund SF2
7. Approval of Abstract Fund SL
8. Approval of Abstract Fund Am

Resolution - Request audit of town books for fiscal year 2022 & 2023

Executive sessions

**OTHER BUSINESS**

**PRIVILEGE OF THE FLOOR**

**ADJOURN**