

REGULAR MEETING  
APRIL 9, 2024  
GALWAY TOWN HALL

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

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

OTHERS PRESENT: J. Snyder; A. McPherson; J. Peterson; L. LeClair; C. Moon; C. Baxter; S. Costanzo; D. Costanzo, Highway Superintendent; C. Arnold; M. & J. Ross; D. Knizek-Neahr, Historian; F. Daino; R. Daino, Planning Chair; B. Adam; E. & D. Currie; A. Decker, ZBA Chair; T. Boerenko; B. Bischoff; M. Luetters, Building Inspector/Code Enforcement; B. Spagnola, Bookkeeper; H. O'Brien; T. O'Brien, Dog Control Officer; P. Venditti; M. Vanderhoof; C. Carr; J. Bellone; M. DeFoe, Town Clerk and many more Town residents.

Pledge to Flag

Councilmember Fred Arnold made a motion, seconded by Councilman Ryan Flinton to approve the minutes of the March 12, 2024 Regular Meeting as submitted.

All ayes.

MOTION CARRIED

Communications – Town Clerk stated that the Board Members received copies of the following correspondence: Highway Department Maintenance Report for March with Schedule for April; Budget Amendments for Ambulance Corp. fuel reimbursement; Resolution for Audit Request done by Town Attorney; Amsure Insurance added the Cyber Declaration to policy with no additional premium; General Code advised that updates were made to Town's eCode360; Webinar sponsored by NYS Department of State regarding resources available for immigrant integration; Webinar's offered from USI on cybercrime, fiduciary training & more; Host Nation webinar on short-term rentals; Munibit website benefits available to Town; Association of Town's Newsletter for April; Earn Competitive Yields with NYCLASS; Lollypop Farm special offer for dogs adopted in April; Weekly updates from the NYS Comptroller; Empire Center for Public Policy, "Wake Up New York" April meeting will focus on Housing Policy; Multiple webinars offered by USI & Several Board Members attended the NYS DPS Virtual Hearing regarding Comprehensive Broadband Connectivity Act of 2021.

Reports of Committees – **Historian, Darby** advised that she was still researching North Galway. Andy McPherson just gave Darby Herb Koppers drawings of Town Seal. **Councilmember Flinton** questioned if Herb designed seal? Town Clerk stated that was correct, Town also has these in closet for use on envelopes, business cards, letterhead & anything else seal needs to be put on. **Building Department – Max** advised that he was finally able to submit a preliminary report to the NYS Department of State Code Administration on status of permits in building department. **Highway – Dave** stated that for March Highway Department needed to plow & sand roads 4 days for a total of 6 rounds; they cut & chipped overhead brush on Donnan &

Parkis Mills Roads; patched potholes & Town-Wide chipping was needed from win storm which took 5 days. For April he is hoping no more plowing is needed and they can start looking a mowing; they will continue to cut & chip overhead brush and weather permitting, begin ditching of Crane & Donnan Roads. Dave will be notified within the week on when they plan on replacing fence a ball field will advise status when he gets information. **Youth Commission – Fred** advised that Family Fun Day will be June 15<sup>th</sup> from noon to 3 at Dockstader Fields. There will be all kinds of fun activities for the kids. Looking to try and get some food vendors and traditional hotdogs ticket will be given to each child. DJ will be playing music. **Dog Control – Tom** stated that he continues to address court issues regarding dangerous dogs. Supervisor stated that this has been very costly for Town to address. Tom stated that some of those costs could have been avoided. **Supervisor Report – J.D.** stated that after three months in he would like to thank Max, Peg, Brandon & Dave for all the assistance they have given him through this difficult time. Town is very fortunate to have them, as they have all worked above & beyond for the last three months. He also wanted to thank Max & Brad for their help with the last food pantry food run. It went a lot better than last month, no issues. The Town helping with the food pick up for pantry he feels is great all the way around for the Town! J.D. had a few meetings over the past month. Today he met regarding the Ambulance Corp. he was advised of a new state wide program “Community Paramedicine”. Their EMS staff instead of taking everyone to the hospital will be working with “Mobile Integrated Health” which will depending on the situation allow the EMS team to stabilize the patient at home and help them work issue out without having to go to hospital. This could save money for everyone all around. Examples could be helping someone understand their medication dosage, monitoring their blood pressure, help cut off some of the emergency room & urgent care trips that currently occur. Some people just need a little help as they have none at home with them. Will keep everyone posted on outcome. He also met with Ann Best, Village Mayor. He has a feeling within the next year or so Village will request discussions with Town regarding dissolving of Village absorbing it into Town. He and Brandon met with the investment woman from NYCLASS. This is government investment pool working to obtain favorable investment rates for their participants. Yields are compounded daily not monthly, full daily liquidation, no transaction fees, unlimited monthly transactions. J.D. advised that the Town would not be taking any action with NYCLASS until 2023 books have been closed & he and Brandon attended the next training. This could potentially increase budget \$50,000 which Supervisor would like to see used to put towards different things in community. J.D. has a meeting scheduled with the Galway Lake Association, will let everyone know outcome. He will also be meeting with a private developer interested in Senior Housing, will have a report on that for next meeting. On a County Level- Sheriff’s Department looking to renegotiate the 5-year contract they signed approximately a year ago. CSEA has been working without a contract since beginning of year, negotiation needed to get everyone to an agreeable spot. Another issue discussed at County is one of squatters. These squatters are moving into homes and then appear to have more rights that the property owners. County is drafting a law to address this along with Clifton Park. Law would require the home owner produce a copy of deed to Sheriff’s Department, sign an affidavit attesting to this being true, they would then send the eviction squad to home to remove squatters. Supervisor will be watching these laws, it’s crazy that we have to write this but we will need to get ahead of this in Galway. Town Clerk stated there has been a

few cases of this happening in Galway already. Audience applauded Supervisor's open discussion regarding Town/County business.

Supervisor Arnold advised that the largest item on (A) Abstract was the NYS & Local Retirement payment. Councilmember Fred Arnold made a motion, seconded by Councilmember Daniel Clemens to approve the General Abstract of Vouchers (A) dated 4/9/24 for a total of \$46,431.56.

All ayes.

MOTION CARRIED

Supervisor stated that (B) Abstract consisted of the different Board's payroll, Attorney, Engineer & Retirement System payment. Councilmember Daniel Clemens made a motion, seconded by Councilmember Ryan Flinton to approve the General Abstract of Vouchers (B) dated 4/9/24 for a total of \$6,630.05.

All ayes.

MOTION CARRIED

Supervisor Arnold stated that the largest items on (DA) Abstract were again Retirement payment & Morton Salt. Councilmember Ryan Flinton made a motion, seconded by Councilmember James Ross to approve the Highway Abstract of Vouchers (DA) dated 4/9/24 for a total of \$57,803.74.

All ayes.

MOTION CARRIED

Supervisor Arnold stated that (DB) Abstract had a large Retirement payment, health insurance, uniforms & misc. other items. Councilmember James Ross made a motion, seconded by Councilmember Fred Arnold to approve the Highway Abstract of Voucher (DB) dated 4/9/24 for a total of \$43,181.05.

All ayes.

MOTION CARRIED

Supervisor Arnold stated that there were no construction plans found at Town Hall. Supervisor was required to purchase an additional set. Councilmember Fred Arnold made a motion, seconded by Councilmember Daniel Clemens to approve the Park Pavilion Abstract of Vouchers (HA) dated 4/9/24 for a total of \$303.44.

All ayes.

MOTION CARRIED

Councilmember Daniel Clemens made a motion, seconded by Councilmember Ryan Flinton to approve the Special Lighting District Abstract of Vouchers (SL) dated 4/9/24 for a total of \$174.06.

All ayes.

MOTION CARRIED

Supervisor Arnold stated that (TA) Account was paying employee portion of health insurance. Councilmember Ryan Flinton made a motion, seconded by Councilmember James Ross to approve the Trust & Agency Abstract of Vouchers (TT) dated 4/9/24 for a total of \$2,647.90.

All ayes.

MOTION CARRIED

Supervisor Arnold stated that the (TT) Account had a mining permit survey. Councilmember James Ross made a motion, seconded by Councilmember Fred Arnold to approve the Tri-Town Gravel Abstract (TT) dated 4/9/24 for a total of \$1,262.38.

All ayes.

MOTION CARRIED

No Executive Session was requested by Town Board.

Other Business- Supervisor stated that last month he requested a resolution to request audit of Town Books by Comptroller's Office. After thinking about that, he felt that resolution should be done by Town Attorney. Supervisor Arnold read the resolution that was drafted by Attorney Trainor regarding his request.

**TOWN OF GALWAY  
2024 RESOLUTION NO. 11**

**A Resolution Requesting an Audit from NYS Comptroller's Office**

Introduced by Supervisor J.D. Arnold

WHEREAS the Town of Galway has recently undergone significant changes in key personnel, including a new Town Supervisor; two new Town Councilmembers; a new Code Enforcement Officer and a new Bookkeeper; and

WHEREAS the New York State Comptroller's Office has no record of an audit being done for the Town of Galway since at least 2013; and

WHEREAS the NYS Constitution Article V, Section 1 and the NYS General Municipal Law Article 3 authorize the Comptroller to perform local government audits in such circumstances; and

WHEREAS the Comptroller's audit can assist the Town with performance effectiveness; economy; efficiency; internal controls; compliance and prospective analyses.

Now, therefore, be it

RESOLVED, that the Town Board hereby requests the Office of the New York State Comptroller to conduct an Internal Control Audit and a Performance Audit of the Town government's finances as of December 31, 2023, as soon as possible.

A motion by Councilmember Fred Arnold, seconded by Councilmember Daniel Clemens to adopt Resolution No. 11 of 2024.

A roll call vote was taken on Resolution No. 11 of 2024 as follows:

Councilmember Fred Arnold – AYE  
Councilmember Daniel Clemens – AYE  
Supervisor J.D. Arnold – AYE

Councilmember Ryan Flinton – AYE  
Councilmember James Ross – AYE

Resolution No. 11 of 2024 was adopted at the meeting of the Town Board of the Town of Galway duly conducted on April 9, 2024.

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Margaret L. DeFoe, Town Clerk

Supervisor Arnold stated at the January Organizational Meeting they made appointments to the Liaison positions for Planning & ZBA, at this time he would like to have he and Councilmember Ryan Flinton step back from those positions and have the new Board Members replace them as Liaisons.

**RESOLUTION #: 12-2024** - Appointment of ZBA Liaison. On a motion of Councilmember Fred Arnold, seconded by Councilmember James Ross the following resolution was ADOPTED: AYES – 5 NAYS – 0

RESOLVED that the Galway Town Board change the yearly Town Policy to appoint Councilmember Daniel Clemens as Liaison to the Zoning Board of Appeals for the remainder of 2024.

All ayes.

MOTION CARRIED

**RESOLUTION #: 13-2024** – Appointment of Planning Board Liaison. On a motion of Councilmember Fred Arold, seconded by Councilmember Daniel Clemens the following resolution was ADOPTED: Ayes – 5 Nays – 0

RESOLVED that the Galway Town Board change the yearly Town Policy to appoint Councilmember James Ross as Liaison to the Planning Board for the remainder of 2024.

All ayes.

MOTION CARRIED

Supervisor Arnold stated that last month an employee's position was terminated. Supervisor Arnold would like to pay him for his accumulated vacation time, this would be 15 hours at \$15.00 per hour, Board agreed with Supervisor on paying this.

**RESOLUTION #: 14-2024** – Authorization for payment of vacation time. On a motion of Councilmember Ryan Flinton, seconded by Councilmember Daniel Clemens the following resolution was ADOPTED: AYES – 5 NAYS – 0

RESOLVED that the Galway Town Board pay Aidan O'Beirne the remaining 15 hours of his accumulated vacation time at \$15.00 per hours for a total of \$225.00.

All ayes.

MOTION CARRIED

Supervisor Arnold would like to get moving on appointing members to the Ethics Board. Will contact the interested residents to make sure they are still interested and make appointments next month.

Supervisor Arnold stated as chief financial officer for the Town he needs to make budget adjustments to be able to close out 2023 books. There are accounts with negative balances that need to be balanced out. Would like to have Town Board give permission for him to make account adjustments to allow 2023 books to be closed. When budget amendments are made, hopefully before next meeting he will have a list detailing these adjustments. Brandon stated going forward they will be making budget amendments as needed during the year. Board went into discussion regarding this. Supervisor J.D. Arnold will bring this forward next month.

Councilmember Daniel Clemens advised that last week he came up and got a grand tour of highway department along with salt shed. He can definitely see why they need a new salt shed.

He was very impressed with what they do and the facility they have. Very impressed what this small crew is able to accomplish. Thanked Dave for taking the time to show him around.

**RESOLUTION #: 15-2024** – Budget Amendments. On a motion of Councilmember Ryan Flinton, seconded by Councilmember James Ross the following resolution was ADOPTED:  
AYES- 5      NAYS – 0

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

Decrease	DA1640	Ambulance Charges	\$2,006.10
Increase	DA5142.41	Snow Removal Fuel	\$2,006.10

All ayes.

MOTION CARRIED

Privilege of the Floor -Teal Boerenko questioned why no one could get back to her about attending virtual hearing regarding Broadband Connectivity Act? Supervisor Arnold apologized for lack of communication regarding this. Councilmember's Flinton, Ross & Clemens all attended. Ryan advised that his statement at public hearing was that with everything they do with internet & software the Town of Galway is only serviced by one internet provider. Spectrum has not been helpful with getting service to areas that are not serviced. Went into discussion with Teal regarding this. Ryan further stated that the map they had showing coverage was very misleading as it showed Galway as 100% coverage. They were considering satellite service as coverage instead of actual land-based broadband availability. Jim stated he put a question in that has not been answered as of yet. Fred stated that he talked to our contact person today, Sam Parker Spectrum Representative. Contract is up for renewal in April. Fred asked Sam for the exact number of people still with no coverage. He advised that he should have information to Fred by email on the 19<sup>th</sup> of April. Supervisor will also be notified that day at county level. Fred will contact Teal when he receives this information. Ryan stated that he found it interesting that the public service commission presented this public hearing online only when you are questioning coverage availability. Town Clerk stated that Spectrum has sent nothing formally regarding renegotiating agreement and it is due for renew this month. Board went into discussion regarding their questions on what exactly would be considered in Franchise Agreement. Fred will be meeting with Jim McCauley this week or next to go over his suggestions for coverage options. Supervisor stated by next month we should have some more information on everything. Jim Snyder stated that there were pockets in Town that have no cell or internet service. He stated that his camp just got fiber in Town of Stratford, large portion was paid for by grant. Maybe Verizon is a competitor company to get some leverage with Spectrum. He however is not sure if Verizon services this area.

Monia Vanderhoof wanted to thank the following Election Inspectors for working last week: LuAnna LeClair; Joanna Lasher; Patricia Venditti; Kelly Vedder; Gwen Parker; Anne Best; Andrew McPherson; Graham Northrup; Susan Weist; Judy O'Rourke; Regina Tate; Ardeth Deay & Margie Prasek. Monica stated that we could use a few more people. June will have primary. J.D. stated that County may be looking into increasing pay for Inspectors as everyone is having a hard time getting people. Supervisor advised that he will run in November to finish the remaining year on this term and then run again the following year for a four-year term. Dan &

Jim will run in November also, they will finish out the remainder of their three-year term. Patty Venditti thanked Town for providing lunch to Election Inspectors.

Tom O'Brien mentioned the Abstract for another set of prints for community building, where did all the sets go from Town Hall? J.D. stated paper copies have not been found. He needed those to be able to make any decisions regarding building. LuAnna LeClair thanked Board for the job they are doing, more information is being given to the public.

The next meeting on Comprehensive Plan is the 16<sup>th</sup> with a public input meeting scheduled for April 30<sup>th</sup> from 6-8 p.m.

Councilmember Fred Arnold stated that they would have Philly Cheese Steak's at Fire House on the 26<sup>th</sup>. Town Clerk stated while eating their Philly Cheese Steak there will be a display set up to view where they are on Comprehensive Plan to date.

Nothing has been received from Tonko's office on grant to date. Supervisor has not had and contact since he explained to them where the Town stood on project when grant was approved. Waiting on construction estimates from EDP, Supervisor stated he is very anxious to get those as soon as possible. No Power has been run to date. Supervisor stated that we currently had about \$50,000 into project some of which was funded by grants. Current grant can only be used for project as presented in grant application.

Councilmember Fred Arnold made a motion, seconded by Councilmember Ryan Flinton to adjourn the meeting at 8:17 p.m.

All ayes.

MOTION CARRIED

Respectfully submitted

Margaret L. DeFoe  
Town Clerk