

**AGENDA**  
**Galway Town Board Meeting**  
May 14, 2024  
7:00p.m.

Call to order – Supervisor Arnold  
Roll Call – Town Clerk DeFoe  
Pledge to the flag – All

Approval of minutes of the meeting held 04/09/2024

Communications Received – Town Clerk DeFoe

**Reports of Committees**

**Historian**

**Youth Commission**

**Dog Control**

**Building Department**

**Highway Department**

**Supervisor**

**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 SL
6. Approval of Abstract Fund TA

**BUDGET RESOLUTION** – Galway Ambulance Corps Inc (Check 39566816) Amount \$1,940.19  
Resolution Request – Designate to Account: DA 5142.41 Snow Removal – Fuel  
Decrease DA 1640 – Ambulance Charges \$1,940.19  
Increase DA 5142.41 Snow Removal - Fuel \$1,940.19

**ADDED BUDGET RESOLUTION** – Authorization for Highway Superintendent to spend anticipated CHIPS, EWR, PAVENY and POP Funds.

Resolved that that the Galway Town Board authorizes the Highway Superintendent to spend up to additional \$171,241.56 in anticipation of the CHIPS, EWR, PAVENY and POP funding.

Increase DB 5110.4 Road Repairs – Contractual  
Decrease DB 3501- Revenue for Road Repairs

Executive sessions

**OTHER BUSINESS**

1. Solar Moratorium
2. Assessor Request for 2025
3. Community Center

**PRIVILEGE OF THE FLOOR**

**ADJOURN**

REGULAR MEETING  
MAY 14, 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. Arnold                      Councilmember Fred Arnold  
                    Councilmember Ryan Flinton                      Councilmember James Ross  
                    Councilmember Daniel Clemens

OTHERS PRESENT: R. Marsh; J. Snyder; A. McPherson; L. LeClair; C. Moon; C. Baxter; S. Costanzo; D. Costanzo, Highway Superintendent; C. Arnold; D. Knizek-Neahr, Historian; F. Daino; R. Daino, Planning Chair; B. Adair; A. Decker, ZBA Chair; T. & J. Boerenko; B. Bischoff; M. Luetters, Building Inspector/Code Enforcement; B. Spagnola, Bookkeeper; H. O'Brien; T. O'Brien, Dog Control Officer; C. Carr; J. Bellone; S. & B. Burns; S. Atkins; A. Rhodes; S. & F. Sutch; 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 April 9, 2024 Regular Meeting as submitted.

All ayes.

MOTION CARRIED

Communications – Town Clerk apologized for not getting draft minutes up on website within two weeks, her granddaughter's appendix ruptured, this family emergency caused her to not get minutes done on time. NYS Dept of Agriculture & Markets sent Dog Control Officer Inspection Report completed on 4/9/24 services were found to be satisfactory. All Board Members received copies of the following correspondence: Dog Control Officers Report for March & April; Numerous weekly updates were received from State and individual organizations; Weekly updates from State Comptrollers Office; Association of Towns monthly newsletter & notification of webinar; Gordian regarding Smart Infrastructure Investments along with their newsletter; RISE Celebrate mental Health Awareness Month; Many notifications from United Way; NYS Department of State notification of Local Government Efficiency Grant Deadline of May 24<sup>th</sup>; USI had numerous notifications GoGov had information on Town Mobile Apps Made Simple; gWorks information to help navigate government finance regulations; Avenu Insights & Analytics regarding short-term rentals; Smart Cities Council, weekly updates; Teal Boerenko sent copy of letter she sent to Governor asking for help with obtaining internet service on roads still not addressed; Highway Department Report for April with schedule for May which Dave will go over along with addition budget amendment request, which can be added to original budget amendment. Town Clerk did receive yearly request from American Diabetes Association for their "Tour de Cure" bike ride event and usage of parking lot a Dockstader Fields for rest stop that will need yearly resolution; She also received confirmation that resubmission was received on the Uniform Code & Emergency Code Administration & Enforcement Report for 2023 by Building Inspector.

**Reports of Committees – Historian, Darby** advised that last week she had about 12 cub scouts in her office to talk about Galway History. They talked about how Galway got its name and the early settlers. Gave a little talk on Joseph Henry, then they made electro magnets and had popcorn. Darby advised that she asked the Galway Cemetery Association to join their committee. She is still researching North Galway. She is meeting with Mr. Orzolek regarding St. Mary's Cemetery on Hudson Road with a tour. **Youth Commission – Fred** stated that they are finalizing all the things for Family Fun Day which will be held at Dockstader Fields on June 15<sup>th</sup> from 12-3. Will have a detailed list of everything for next month's meeting. **Dog Control – Tom** stated that he will be attending a class at the shelter next Thursday that is put on by NYS Agriculture & Markets/Shelter/Saratoga Public Health. This is a question & answer class.

**Building Department - Max** stated that last month he received a request from Jackson Demolition to take down a structure in Ruback's Grove. They are unable to do this because they need a letter from the local authority holding jurisdiction indicating the condition of the structure. This is the States protection of a 3<sup>rd</sup> party verification of condition of structure, not only that of representative. Max did an inspection on March 29<sup>th</sup> of 4036 Vanderpool Drive in Ruback's Grove finding the structural integrity of residents clearly unsafe. Supervisor stated that this was due to the fact that the building was unsafe for inspector to perform asbestos inspection. Max stated that conventional method for a demo permit would require a NYS licensed asbestos report to be performed. They can't achieve this due to residence being unsafe. NYS sets up a waiver form that state conditions & requirements for a 3<sup>rd</sup> party air sampling and in addition a NYS licensed asbestos removal representative to be on site to conduct those air samples & monitoring. NYS relies on Town's to give waiver application, they then come back to Town which monitors that conditions were followed. This process is similar to how Town handles waste water system applications. Max would like to submit the pictures along with report to Town Board for their approval. Supervisor J.D. Arnold questioned if formal resolution was needed? Max stated he was going to reference correspondence from Town Board, no further action beyond individual email correspondence would be necessary.

**Highway – Dave** stated that for April the Highway Department had to plow one day; cut & chipped overhead brush on Parkis Mills Road; Ditched on Crane & Donnan Roads; Started reconstruction of section of Crane Road from intersection of McConchie Road to Donnan Road; Started spring clean-up with reference to wing cuts, road sweeping & patching of potholes; Graded parking lot at ball field; Hauled gravel to shop & began mowing of ball fields & Town Hall. For May they will continue reconstruction of Crane Road; Pave with Charlton, Edinburg & Providence; Grade gravel roads; Installation of split rail fence was done on May 8<sup>th</sup> at Dockstader fields; Will continue spring clean-up with reference to wing cuts, road sweeping, patching of potholes & continue with mowing ball fields & Town Hall. Budget resolution needed for Ambulance fuel reimbursement & \$171,241.56 in anticipation of CHIPS, EWR, PAVENY & POP funding. Will be changing pipes in parking lot beginning of June in anticipation of parking lot paving. Paving is being contracted out. Evolution got the bid out of three received, somewhere around \$30,000 for equipment & labor. **Brian Burns** questioned if the second budget amendment was reflected in budget done at end of last year? **Dave** stated that CHIPS funding was indicated in that budget for \$200,000 as that is guaranteed funding the rest is not a yearly guaranteed funded figure. This

money can only be used for blacktop. Brian suggested paving Cruthers Road. **Supervisor Report – J.D.** stated that he had another meeting with Ambulance Corp. and they asked if Town would be interested in taking over Ambulance Corp. Supervisor advised them that that was not any decision the Board could make now, it would require an extensive study. J.D. stated that he had a meeting with the Assessor and it looks like we need another reevaluation for 2026. Supervisor advised that Laura would be getting a proposal together for Town Board on hiring someone for next year to take photos and do data collection throughout the Town. Equalization rate is very skewed, percentage between assessed value and sale value is significant. J.D. stated that he and his wife attended the Harmony Fire Department Banquet. No Supervisor since George Hargrave has attended their banquet. At the Capital Region Chamber of Commerce Meeting, they talked about an event held in Milton last month. There was a discussion regarding development and what they see for future in Milton & Galway. It was interesting to see the differences as Milton has become one of the fastest growing Towns within County. Then a few days later the Chamber breakfast, where Deputy Supervisor from Milton & Supervisor Arnold both spoke briefly. They had a panel discussion monitor was Melissa Rathbun. Jennifer Flinton spoke on Agricultural perspective of small-town living. Rick Sleeper from Cock N' Bull talked about why he enjoys having his business here. He has had many opportunities to expand elsewhere, but he grew up here and wants to continue his business in the community he loves. Supervisor Arnold stated on County level the outgrowing of facilities in Ballston Spa has become an issue. Court Administration is going to be adding 3-4 more Judges in the near future. Significant changes need to be made soon with court and some of the other County departments. J.D. had a meeting with a new resident, Amanda Bowser that is interested in starting up a community garden. She presented a proposal and will take the lead. She will look into some grant funding. Dave will expand area in back for a bigger garden. This will take place in spring of next year. Supervisor Arnold stated that he and Max had a meeting with the Galway Lake Association to talk about concerns that they might have vs. Town concerns. The Lake Association's biggest issue is keeping the Lake clean & protected thru proper sewage handling, which Town was on same page.

Supervisor Arnold went over different item on (A) Abstract. Councilmember Fred Arnold made a motion, seconded by Councilmember Daniel Clemens to approve the General Abstract of Vouchers (A) dated 5/14/24 for a total of \$12,958.52.

All ayes.

MOTION CARRIED

Supervisor stated that (B) Abstract consisted mainly of the different Board's payroll & Attorney fees. Councilmember Daniel Clemens made a motion, seconded by Councilmember Ryan Flinton to approve the General Abstract of Vouchers (B) dated 5/14/24 for a total of \$6,808.30.

All ayes.

MOTION CARRIED

Supervisor Arnold stated that the (DA) Abstract consists of mainly parts. Councilmember Ryan Flinton made a motion, seconded by Councilmember James Ross to approve the Highway Abstract of Vouchers (DA) dated 5/14/24 for a total of \$22,938.28.

All ayes.

MOTION CARRIED

Supervisor Arnold stated that (DB) Abstract had insurance, uniforms & piping. Councilmember James Ross made a motion, seconded by Councilmember Fred Arnold to approve the Highway Abstract of Voucher (DB) dated 5/14/24 for a total of \$25,513.38.

All ayes.

MOTION CARRIED

Councilmember Fred Arnold made a motion, seconded by Councilmember Daniel Clemens to approve the Special Lighting District Abstract of Vouchers (SL) dated 5/14/24 for a total of \$153.89. "Fred stated let's go longer days."

All ayes.

MOTION CARRIED

Supervisor Arnold stated that (TA) Account was paying employee portion of health insurance. Councilmember Daniel Clemens made a motion, seconded by Councilmember Ryan Flinton to approve the Trust & Agency Abstract of Vouchers (TA) dated 5/14/24 for a total of \$3,410.13.

All ayes.

MOTION CARRIED

**RESOLUTION #: 16-2024** – Budget Amendments. On a motion of Councilmember Fred Arnold, seconded by Councilmember Ryan Flinton the following resolution was ADOTED:

AYES – 5      NAYS – 0

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

Decrease	DA1640	Ambulance Charges	\$1,940.19
Increase	DA5142.41	Snow Removal – Fuel	\$1,940.19

Authorization for Highway Superintendent to spend anticipated CHIPS, EWR, PAVENY, and POP Funding.

Decrease	DB3501	Revenue for Road Repairs	\$171,241.56
Increase	DB5110.4	Road Repair – Contractual	\$171,241.56

All ayes.

MOTION CARRIED

**RESOLUTION #: 17-2024** – Appointment of 5 Members to Board of Ethics. Supervisor would like to do as one resolution. On a motion of Councilmember Fred Arold, seconded by Councilmember James Ross the following resolution was ADOPTED BY ROLL CALL VOTE:

- Councilmember Fred Arnold – AYE                      Councilmember Ryan Flinton – ABSTAIN
- Councilmember James Ross – AYE                      Councilmember Daniel Clemens – AYE
- Supervisor J.D. Arnold - AYE

RESOLVED that the Galway Town Board appoint the following Members to the Board of Ethics: Heather O'Brien; Roxanne Marsh; Jenna Flinton; Sue Sutch & Bradley Bischoff:

4- AYES      1 – ABSTAIN

MOTION CARRIED

Brian Burns felt it was a conflict of interest to appoint a relative of a Board Member to Ethics Board. How do you get that non-prejudice non-bias review. Councilmember Ryan Flinton stated that Jenna is married to a cousin that he sees once a year.

No Executive Session was requested by Town Board.

Other Business – **RESOLUTION #: 18-2024**- Solar Moratorium. Board went into discussion regarding implementing a moratorium again since comprehensive plan is being worked on and this will be addressed.

6/11/24\*\*Resolution #: 21-2024 Amer Budget Resolution #: 16-2024  
to remove Decrease DB3501 Revenue for Road Repairs \$171,241.56\*\*

TOWN OF GALWAY  
2024 RESOLUTION NO. 18

A Resolution Setting a Public Hearing Regarding a Local Law  
Imposing a Moratorium on Large Solar Energy Systems

On a motion of Councilmember Fred Arnold, seconded by Councilmember James Ross 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

WHEREAS, it has been recommended that a Public Hearing be set for discussing and taking public input on a proposed Moratorium on Large Solar Energy Systems; and

WHEREAS, a Moratorium on Large Solar Energy Systems is needed to allow the Town Board to consider and adopt a Solar Energy Local Law;

Now, therefore, be it

RESOLVED, that a Public Hearing is hereby scheduled for Tuesday, June 11, 2024 at 6:45 p.m. at Town Hall 5910 Sacandaga Road, Galway, New York 12074, to receive comments from the public regarding the Proposed Local Law imposing a 6-month Moratorium on Large Solar Energy Systems.

5 – AYES      0 – NAYS

MOTION CARRIED

Supervisor stated that the construction estimate was received for building at Dockstader Fields. J.D. stated that the figure came in at 3.8 million. Supervisor stated that Board needed to discuss where we go from here. Would like Board to discuss and determine what we want to do with project and address grant. **Councilmember Ryan Flinton** stated that he feels this 3.8 million estimate is just as ridiculously absurd and unrealistic as Mikes \$800,000 estimate. Ryan questioned how they came up with \$436,000 for the electrical portion of project. He felt that was estimated absurdly high. After reviewing the plan sets, Ryan feels that the building could not be built for the \$800,000 either. Realistically he believes somewhere in the middle at 2.3 million would be closer to actual cost. With that being said, he wouldn't want to go forward with a project of that magnitude. **Roxanne Marsh** questioned who gave designer specs, why were they so far off on design? Councilmember Flinton stated that the Board has argued over this extensively over the last year. He believes it was taken on as a pet project and wasn't really discussed openly with Board. Ryan stated he was a large supporter with reference being that a community building is needed. He is a tax payer as well and doesn't want an increase for this. **Supervisor J.D. Arnold** felt problem started when it went from conceptual to paper. **Councilmember Fred Arnold** stated that project was not proposed as an emergency shelter. Once you propose a building to be used to house people it changes everything. **Brian Burns** stated that Town paid for drawings & plans; apparently, we are going to pay for this erroneous exaggerated estimate; well; was power installed? Power was not installed. Brian suggested backing up and ask for a more conservative drawing for a building. Is there a time frame on grant, there may not be a grant in the future. Where we could utilize what we have done & what we have spent. **Supervisor Arnold** stated that we should take the lessons we learned on this to do better on the next one. This got out of hand, as a Board Member he learned a valuable lesson

when this went off the rails. J.D. felt they didn't do their job as Board Members vocally and publicly in a Town Board setting. They failed to put up stop sign when they were needed. He takes full responsibility for doing that because he's guilty, this however will not happen again. We are not rubber stamps, if someone is going off rail Board needs to say something. He challenges this Board to take that responsibility. **Roxanne** questioned what next step was? **J.D.** stated that Board will need to make a resolution to authorize Supervisor to contact Congressman Tonko and advise that we will not be taking grant. J.D. stated this grant was approved for that building. We can't redesign project to make it more appropriate for Towns needs under this grant. Ryan & J.D. feel that something is needed but not to this magnitude. **Roxanne** questioned how much the drawings were and how much was this construction estimate? J.D. stated that there were some Economic Development Grants awarded for these items through County, he doesn't have an exact cost to give her tonight. **Brian** questioned why they didn't know how much they have spent on ridiculous cost estimates. **Councilmember Daniel Clemens** stated that he wouldn't consider this cost estimate ridiculous. Dan felt and Ryan reiterated that this estimate proved that the initial proposed estimates was drastically off. If this estimate was even a million high it would still be more than Town Board would feel comfortable with going forward on. Dan stated that this is a professional opinion from a construction estimating company that does this for a living. Dan felt that Town needed to step back reevaluate and do something more realistic to our needs. **Brian** stated that this is what the residents that have been coming to these meetings for the last two years have been saying. **Roxanne** questioned if several construction bids should have been done. **Ryan** stated that this wasn't done as a bid, done by engineering firm as construction cost estimate. We would have to put it out for bid if we were going forward.

**RESOLUTION #: 19-2024** – Table construction project for Community Building. 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 table the entire community building project until further research can be done. Congressman's office will be notified that grant is not going to be used at this time.

All ayes.

MOTION CARRIED

Privilege of the Floor – **Arlene Rhodes** would strongly encourage Town Board to do a needs assessment of what spaces are actually available already in the community. She also suggested looking at expanding at this location. **J.D.** stated that he has not been advised of any organization/group that is not be accommodated someplace within Township at this point. He would be open to looking at Town Hall expanding for more meeting rooms. **Councilmember Flinton** stated its more than a meeting room needed. He does agree with needs assessment and Colleen solicited a great deal of locations. Ryan encouraged people to reach out to these groups that sent letters of support for this building and get to know their needs. **Arlene** stated that she is a member of many groups and organizations, none of which were contacted by Colleen looking for space.



**RESOLUTION #: 20-2024** - American Diabetes Association Tour de Cure Event. 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 authorize the Yearly American Diabetes Association “Tour de Cure” charity bike ride event to take place on Town of Galway roads and utilize the Dockstader Park as a rest stop for cyclists on June 2, 2024 from 7:30 a.m. to 10:30 a.m., event will begin at Elms Family Farm on Charlton Road.

All ayes.

MOTION CARRIED

**Brad Bischoff** questioned status of Salt Shed. J.D. stated that the large question is funding. He and Brandon are attending a budgeting & financial management class today & tomorrow which will help Board make the right decisions for funding. Brad questioned if Community Garden was going to be done in conjunction with the Garden Club that does planting at post office. J.D. stated that this was a vegetable garden. **Jessica Bellone** stated that she has also talked with Amanda regarding Community Garden. Would Town be leasing land for garden usage? J.D. stated that they would be expanding the section in the bank at the back of the Town Hall for garden. **Brandon Spagnola** questioned if some of the vegetables would be donated to food pantry? J.D. stated that they would. **Andy McPherson** stated that he has taken 350 lbs. of the soil from Lake when it was down and put it into area where garden was going to go at Town Hall. He was told that top soil was added, he feels that soil has a long way to go to grow anything. **Stephanie Burns** questioned when Cruthers Road would be fixed so they can safely ride their motorcycles? **Dave** stated that they were grading roads this month. Their road is still quite wet so as soon as they can get on it they will. He knows exactly what they need to do but can't do it until it somewhat dries out or they will make a bigger mess. **Brian Burns** stated when they did ditches last year along with product put done it was a phenomenal job. What is the solution? Dave stated that the road is a gravel road and grading will be done as soon as possible. Can this be addressed at some point beyond just grading & stone could it get paved? Stephanie stated that Kimball Lane gets better care as a gravel road than Cruther, why? Dave stated that it dried out faster. Brian stated trees are a canopy that add to this issue, are they going to do overhead trimming on Cruthers? Dave stated as soon as road is ready, they will be there to address issues. **Brad** questioned what status was on audit by state? J.D. stated that he sent copy of resolution to the person he has been talking with at State Comptrollers Office regarding the ongoing train wreck of books that Brandon has been trying to get balanced to be able to close out last year's books. Brandon stated that they talked to people in Comptroller's office in January & then again today at training school, not sure at this point if they are going to generate an audit. Ryan questioned if Board should look at outside organization to do audit? J.D. stated that we needed to wait until state gets back to us and lets us know if they will be doing audit. Brad questioned why books can't be closed from last year? Brandon stated that each bank account needs to balance, one account still needs to balance out. Then there are other things that need to be corrected. Payroll account & journal entries could make it take even longer. Brandon has been working with our software company and they can't figure out what has been done. Since the Town has been very transparent with Comptroller's Office hopefully, we will not be fined for AUD being late. **Sue Atkins** stated since it doesn't look like the state will do audit should you outsource audit from private company? No rotating schedule is done with Comptrollers Office

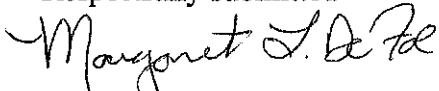
anymore with reference to audits? **Brian** stated that Glens Falls needs to get call from residents requesting that audit be performed. **Bill Adair** questioned if they had anything new on short term rentals? J.D. stated that they didn't have any updates.

Councilmember Daniel Clemens made a motion, seconded by Councilmember Ryan Flinton to adjourn the meeting at 8:14 p.m.

All ayes.

MOTION CARRIED

Respectfully submitted



Margaret L. DeFoe  
Town Clerk