

REGULAR MEETING
JULY 9, 2024
GALWAY TOWN HALL

Supervisor J.D. Arnold called the Regular Meeting to order at 7:01 p.m. The following Board Members were present.

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

OTHERS PRESENT: B. & S. Burns; C. Moon; C. Baxter; S. Costanzo; C. Carr; J. Snyder; H. O'Brien; T. O'Brien, Dog Control; D. Costanzo, Highway Superintendent; F. Daino; L. LeClair; E. Ross; D. Knizek-Neahr, Historian; B. Bischoff; F. Sutch; M. Luettgers, Building/Code; A. Decker, ZBA Chair; J. Bellone; B. Spagnola, Bookkeeper; R. Daino, Planning Chair; T. Boerenko; D. Baxter, Jr., M. DeFoe, Town Clerk & many other Town residents.

Pledge to Flag

Councilmember Fred Arnold made a motion, seconded by Councilman Daniel Clemens to approve the minutes of the June 11, 2024 Regular Meeting as submitted.

All ayes.

MOTION CARRIED

Communications – Town Clerk stated that Board Members received copies of the following correspondence: June Highway Maintenance Report with Schedule for July, Highway Superintendent will go over later in meeting; Supervisor sent email to Teal Boerenko advising that her contact information was forwarded on to the County Representative that will be working on broadband internet coverage, they will contact her; Dog Control Officer's Report for May & June along with list from surrounding Towns on their Dog Offense Fees. Board received large amount of email correspondence from the following: United Way; Allconnect; Joule Community Power; Polar Racking; NYS Department of State; Millennium Strategies; Granicus; Avenu Insights & Analytics; Lollypop Farm, Smart Cities Council; Rise Housing & Support Services; Weekly updates from State Comptroller, GoGov; Gordian Events; USI Upstate NY; Association of Towns; OnSolve & Andy McPherson gave everyone Green Energy Times.

Reports of Committees – **Historian, Darby** gave an overview of her meeting with Douglas Todd from Fox Hill Farm on Parkis Mills Road. **Youth Commission, Councilmember Arnold** stated Family Fun Day was a huge success. Not sure on number attended but think it was over 500. Fred thanked Town Clerk for being there all day along with her sister scooping ice cream & Brandon cooking hot dogs. Kids were very tired when they left from activities. **Planning Board, Councilmember Ross** stated that meeting on June 26th consisted of 3 applications. One application was approved, one scheduled for public hearing & one application tabled. **ZBA, Councilmember Clemens** stated that meeting was held on July 2nd four members out of five were in attendance. There were 5 applications before Board. Two applications were approved, two were tabled and one application was declined. **Dog Control, Tom** discussed fines with Board from surrounding Town's. **Supervisor Arnold** stated that what Tom is talking about is a

list of neighboring Town's and what their fine structure is for Dog Offenses. Tom is proposing that fines be raised to: 1st offense \$100; 2nd offense \$200; & 3rd offense \$300. **J.D.** would like to get information from these Town's on "Dangerous Dog" with reference to Attorney fees. **Tom** will take lead and see what he can find out from Town's with regards to additional fine requirements for Dangerous Dogs. **J.D.** would like to incorporate into Town Code changes when they work on Code revisions. Board discussed what constitutes "Dangerous Dog" classification. Tom went over what many cause this, ultimately the Judge makes the determination of Dangerous Dog classification on each case. **Building Department, Max** stated that his has two main objectives that he would like to accomplish for August Meeting. 1) Create new building permit applications and upload to site. 2) Update the building department website, along with giving information on what level of work requires a building permit. **Highway, Dave** stated for June Highway Department paved Crane Road from intersection of McConchie Road to Donnan Road; paved with Malta & Halfmoon; replaced culverts at Town Hall; Town Hall parking lot was milled on June 27th, 28th it was paved with binder & July 1st top coat was done; fixed washouts town-wide from heavy rains; chipped brush from heavy storms town-wide; hauled gravel to shop & mowed ROW's, ball fields & Town Hall; re-worked topsoil to help with proper drainage; Greenfield came down & helped with their Harley Rake to get topsoil to a nice smooth finish. For July they will have County come and hydro-seed Town Hall; prep area for salt shed; pave parts of Parkis Mills Road, mainly between Alexander to Old Mill & then from Old Mill to Crane; haul gravel to shop & continue mowing ROW's, ball fields & Town Hall. **Supervisor Arnold** stated that resignation letter from Highway Mechanic was received as he is retiring after 25 years of service to Town. **J.D.** thanked Harry for all his work given to the Town over the past 25 years. **Supervisor Report, J.D.** Thanked Peg & her family for all the work they did leading up to and including Family Fun Day Event. **J.D.** stated that it was a very gratifying day people attending seem to have a good time. Blueberry Festival is July 27th sounds like vendors are being turned away at this point. **J.D.** believes they have over 75 vendors signed up. Volunteers are needed for this event. This event will be from 9-2 live music, lots of vendors and hopefully sunshine. **J.D.** stated that Dave indicated that he would be prepping site for salt shed. The Town will be placing the order next month on salt shed. He needs to do some additional research on moving money in budget to help with purchase. Town will pay a percentage & also finance a percentage of cost.

Supervisor Arnold stated a lot of misc. expenses, parts, office supplies, piping & insurance on (A) Abstract. Councilmember Fred Arnold made a motion, seconded by Councilmember Daniel Clemens to approve the General Abstract of Vouchers (A) dated 7/9/24 for a total of \$18,053.95.

All ayes.

MOTION CARRIED

Supervisor stated that (B) Abstract consisted mainly of different Board's payroll, office supplies & Attorney fees. Councilmember Daniel Clemens made a motion, seconded by Councilmember Ryan Flinton to approve the General Abstract of Vouchers (B) dated 7/9/24 for a total of \$2,979.96.

All ayes.

MOTION CARRIED

Supervisor Arnold stated that the (DA) Abstract consists of mainly parts & Health Insurance. Councilmember Ryan Flinton made a motion, seconded by Councilmember James Ross to approve the Highway Abstract of Vouchers (DA) dated 7/9/24 for a total of \$11,890.83.

All ayes.

MOTION CARRIED

Supervisor Arnold stated that (DB) Abstract biggest part of this Abstract is binder & rubble for Crane Road. Councilmember James Ross made a motion, seconded by Councilmember Fred Arnold to approve the Highway Abstract of Voucher (DB) dated 7/9/24 for a total of \$85,133.90.

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 7/9/24 for a total of \$139.72.

All ayes.

MOTION CARRIED

Supervisor Arnold stated that the (HA) Abstract was building cost estimate for community center. County Planning Grant will cover this and blue prints paid for building. Councilmember Daniel Clemens made a motion, seconded by Councilmember Ryan Flinton to approve the Park Pavilion Abstract of Vouchers (HA) dated 7/9/24 for a total of \$5,253.00.

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 (TA) dated 7/9/24 for a total of \$3,655.36.

All ayes.

MOTION CARRIED

RESOLUTION #: ~~24-2024~~ – Budget Amendment – Brandon Spagnola, Bookkeeper advised that this was set up wrong last year, needs to be moved to correct fund to be used correctly. 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 Amendment:

Increase	HA7110.4	Park Construction Contractual Expense	\$5,253.00
Decrease	HA7110.2	Park Construction Equipment Expense	\$5,253.00

All ayes.

MOTION CARRIED

TOWN OF GALWAY

2024 RESOLUTION NO. 25

**A Resolution Making a SEQRA Determination
Regarding Local Law No. 1 of 2024,
a Local Law Regulating
Large Scale/Commercial Solar Installations**

Introduced by: Supervisor J.D. Arnold

WHEREAS, the Town of Galway wishes to establish a uniform procedure for regulating solar energy equipment and systems installations within the Town; and

WHEREAS, a Public Hearing was held on June 11, 2024 to consider the proposed Local Law.

Now, therefore, be it

RESOLVED, the Town Board has considered the potential environmental impacts of adopting the legislation and has determined it to be a Type II action requiring no further review pursuant to 6 NYCRR section 617.5.

A motion was made by Councilmember Fred Arnold, seconded by Councilmember Daniel Clemens to adopt Resolution No.25 of 2024.

A roll call vote was taken on Resolution No. 25 of 2024 as follows:

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

Resolution No. 25 of 2024 was adopted at a meeting of the Town Board of the Town of Galway duly conducted on July 9, 2024.

Margaret L. DeFoe, Town Clerk

**TOWN OF GALWAY
2024 RESOLUTION NO. 26**

**A Resolution Adopting Local Law No. 1 of 2024,
A Local Law Imposing a Moratorium on Large Solar/Commercial Solar Installations**

Introduced by: Supervisor J.D. Arnold

WHEREAS, Local Law No. 1 of 2024 attached hereto, proposes to impose a six (6) month moratorium, renewable for up to two (2) 90-day periods on large/commercial solar installations; and

WHEREAS, the moratorium is necessary to allow the Town Board to consider revisions to its solar energy Local Law and Comprehensive Plan; and

WHEREAS, a public hearing was held regarding the proposed moratorium in a duly noticed Public Hearing on the proposed Local Law at a meeting of the Town Board on June 11, 2024; and

WHEREAS, pursuant to 6 NYCRR §617.5 (a) and (c)(30), the Town Board's consideration and adoption of a moratorium on land development is a Type II Action and is not subject to review under SEQRA.

Now, therefore, be it

RESOLVED, that pursuant to the Town Board's authority under NYS Town Law §261-C and Municipal Home Rule Law §10, the proposed Local Law No. 1 of 2024, imposing a Moratorium on Large Scale/Commercial (Tier 3 or 4) Solar Installations, is hereby adopted; and be it further

RESOLVED, that the Town Clerk is hereby requested to publish a descriptive notice of the adoption of the Local Law No. 1 of 2024 within 5 days of its adoption by the Town Board; and be it further

RESOLVED, that the Town Clerk is hereby requested to file a Certified Copy of Local Law No. 1 of 2024 with the New York State Department of State no later than 20 days of the date of its adoption by the Town Board; and be it further

RESOLVED, that the Code Enforcement Officer shall file a copy of the Local Law No. 1 of 2024 with the Town and County Planning Boards; and be it further

RESOLVED, that the Town Clerk shall attach a copy of Local Law No. 1 of 2024 to the minutes of this Town Board meeting.

A motion was made by Councilmember Ryan Flinton, seconded by Councilmember James Ross, to adopt Resolution No.26 of 2024.

A roll call vote was taken on Resolution No.26 of 2024 as follows:
Councilmember Fred Arnold – AYE Councilmember Ryan Flinton – AYE
Councilmember Daniel Clemens – AYE Councilmember James Ross – AYE
Supervisor J.D. Arnold – AYE

Resolution No. 26 of 2024 was adopted at a meeting of the Town Board of the Town of Galway duly conducted on July 9, 2024.

Margaret L. DeFoe, Town Clerk

Supervisor J.D. Arnold hopes to have this resolved within the six-month time frame and not need extension. In the event that doesn't happen there are two three-month extensions allowed.

Privilege of the Floor – **Brad Bischoff** asked for clarification on where the funding was coming from for Building Cost Estimate for project at ball field. **Supervisor Arnold** stated from Saratoga County Planning & Economic Development. J.D. stated that he just applied for another grant of this type for \$10,000 to help once the Master Plan is completed and Town begins the updating of Planning/Zoning Code. **Brad** questioned if Town was going to put out for bid the salt shed project. **J.D.** stated that there is a new procurement way for municipalities. They have streamlined a nation-wide buying program “Sourcewell”. This is a clearing house for all the major manufacturers that sell to municipalities nation-wide. J.D. explained how process worked. **Dave** stated that Highway Department had to prep the site & will need to pave the inside, building price is \$512,243. **Brad** questioned if project would be bonded. **J.D.** stated that they would be taking some of the money that was set aside for community center in budget and finance part of project. **Councilmember Flinton** stated that building was considered permanent but really not a permanent structure. **J.D.** stated that similar to equipment upgrading program, this will need to be put on a schedule for replacement in the future. **Brian Burns** questioned how Town was going to fix Cruthers Road. **Superintendent Costanzo** stated that they graded road and wet it down with calcium to keep dust down. He stated with reference to ditches they could come back and do some more work. **Brian** stated that there was stone in the ditches. **Dave** stated that we have been having 4-5 inches of rain at a time which the stone is good to have

in ditches. Dave will take another look, if something needs to be done, they will take care of it. **Teal Boerenko** stated that she had not been contacted to date from anyone. **Supervisor** stated that Jason Kemper from County Planning will be contacting her. She stated that franchise check should be put towards getting coverage along with applying for grants. Capital District Regional Planning is working on this more so in Adirondack's, but no where are they getting complete coverage. This will be part of discussion with Spectrum when franchise agreement is look at for renewal. Until that time Supervisor doesn't have a lot to report to Teal regarding status. She believes a town-wide survey is needed. Supervisor wants everyone to have coverage, bottom line our contract reads coverage is for a certain number of residents over a mile radius. Trade off for living in country, trade off don't have to deal with neighbors. **Dan Baxter Jr.** questioned if Board gave any more consideration to changing noise ordinance with reference to time requirements. **Supervisor** stated that no further discussion has been done on that. He would like to request that Max purchase a decibel reader they are \$14 on Amazon. **Supervisor** questioned if this would be a legal tool for taking this reading. **Supervisor** stated that he would have to look into this and get back to him. Again, you can have laws put into place, but if you can't enforce them, they really don't make sense. Do we have the mechanisms in place to enforce this. **Brian** asked if Max had the authority to site someone for this, to bring them to court? **J.D.** stated that he is the Code Enforcement Officer. **Town Clerk** stated that when it was originally set-up, decibel readers were extremely expensive so the Sheriff's Department would send someone to do the decibel reading as they had machine and then Code Enforcement would follow up with the court end if needed. **J.D.** will research who needs to take reading and if there is a specific decibel reader that Town needs to purchase to make a legal reading. **Andrew McPherson** state that purpose of law was to encourage neighbors to talk to each other to try and resolve issues instead of going to this extreme. **Supervisor** stated that was always the best solution, but ample evidence in Town that that doesn't always work so well. If neighbors could do this it would be better for everyone. There were no further questions from audience.

Councilmember Fred Arnold made a motion, seconded by Councilmember Ryan Flinton to adjourn the meeting at 7:45 p.m.

All ayes.

MOTION CARRIED

Respectfully submitted

Margaret L. DeFoe
Town Clerk