

AGENDA
Galway Town Board Meeting
September 10, 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 08/13/2024

Communications Received – Town Clerk DeFoe

Reports of Committees

Historian

Youth Commission

Planning Liaison

Zoning Liaison

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
7. Approval of Abstract Fund TT

EXECUTIVE SESSION

RESOLUTIONS -

- 1) Set public hearing for local law to exceed 2% tax cap levy established in general municipal law 3-C on 10/08/2024 at 645pm.
- 2) Set dates for budget workshops 09-25-2024, 09-30-2024, 10-02-2024.
- 3) Accept a new (ROA) Record of Activity for standard workday and report requirements for Retirement Reporting to NYSLR for Alison-Thomas-Orvasky.

OTHER BUSINESS

PRIVILEGE OF THE FLOOR

ADJOURN

REGULAR MEETING
September 10, 2024
GALWAY TOWN HALL

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

PRESENT: Supervisor J.D. Arnold Councilmember Fred Arnold
 Councilmember Daniel Clemens

ABSENT: Councilmember Ryan Flinton Councilmember James Ross

OTHERS PRESENT: B. Adair; A. Decker, ZBA Chair; C. Baxter; C. Moon; R. Marsh; C. Arnold; A. McPherson; K. Arnold; T. Boerenko; L. LeClair; R. Daino, Planning Chair; J. Snyder; M. Vanderhoff; D. & A. Balbian; Kwiatkowski's; B. Bischoff; M. Luetters, Building/Code; R. Sleeper; F. Sutch and many more Town residents.

Pledge to Flag

Councilmember Fred Arnold made a motion, seconded by Councilman Daniel Clemens to approve the minutes of the August 13, 2024 Regular Meeting as submitted.

All ayes:

MOTION CARRIED

Communications – Town Clerk stated that Board Members received copies of the following correspondence: August Highway Report with Schedule for September; NYSLRS Standard Workday Reporting for Justice Alison Thomas-Oravsky Resolution is needed; July & August Dog Control Report, Clerk advised that Tom was not here tonight due to a college volley ball game his daughter was in; Correspondence from Town of Amsterdam advising lead agency status in connection with action involving certain proposed Zoning Amendments relating to battery energy storage systems; green energy times from Andy McPherson; NYS Dept. of State-Downtown Revitalization Initiative; NYS Environmental Facilities Corp. webinar notification; NYS Dept. of Public Service regarding Public Statement Hearings for National Grid's Proposed Rates-(This is posted in vestibule at Town Hall); Multiple correspondence from Gordian; GoGov; Election Security Series; ICMA; United Way; Empire Center for Public Policy; MRB Group; RISE; Comptroller Weekly Update & Lollypop Farm.

Reports of Committees – **Historian** – No Report on vacation. **Youth Commission, Councilmember Arnold** stated that Karate participated in Super Summer Seminar in Herkimer & Northeast open. Four people competed, girls did very well. They have a tournament scheduled for September 21st at Galway that they still haven't got verification from Mike Glenn at school yet that it's approved. Fred asked if Supervisor could question Mike Glenn on that. J.D. will contact Mike regarding tournament. Soccer dates and times are set for fall program. Discussing Family Fun Day for 2025. They are looking into a three-day event. Friday being a movie night, Saturday being a full day event with some rides and different food vendors, Sunday being a half day continuation of Saturday events. **Planning- No Report. ZBA Liaison Report, Councilmember Clemens** stated that five members were present for last meeting. There were four items on agenda. Area variance was being requested on Old Dam Road. After applicant &

Board discussed application & they determined that if footprint for house was moved over no variance would be needed. So, that was what they decided to do. The next application was for an area variance on Hermits Point Road, applicant didn't show so application was tabled. Area variance on Hart Road approved 5-0. Then there was a discussion requested from the Building Inspector on defining "Level" in code. After review, the ZBA will be coming to Town Board to request change to Town Code with reference to wording on "Level". **Dog Control – Nothing in addition to written Report. Building Department- Max** stated to date he has issued 82 building permits. He further stated that he had no issues with any of these applicants complying with any and all requirements for said building permit. In his time so far with the Town he has and continues to work hard to streamline the process of securing a permit for applicants.

Highway Department- J.D. stated that Highway Superintendent wanted public to be advised that the Bulk Waste Drop-Off would be the 1st two weeks in October. October 1st thru 4th & October 8th thru 11th from 6:30 a.m. to 4:00 p.m. Town Clerk stated that she put this under the Important Notice section of website with a not to check the Highway portion of website for what is not allowed. **Supervisor's Report – J.D.** stated over the last few weeks a long-time employee of the Town Carol DeLorme passed away. She has been the Building Department Clerk for a very long time, Planning & Zoning Clerk & Councilmember Clemen's Aunt. J.D.'s right hand man, Brandon Spagnola lost his mom within the month. Condolences to the family on both losses. J.D. stated that the Blueberry Festival was a huge success. He thanked the Rotary Club & the Highway Department Employees for the hard work to make this event such a seamless success. Next year they will implement a few changes to make it go smoother. Harvest Festival will be the last Saturday in October. There will be vendors, entertainment, food & trick or treating. More details to come, volunteers will also be needed for this event. The next major project is the 2025 Budget. What makes that difficult is that 2023 books have not been closed. There are still messes to unravel, very frustrating for Brandon. He has been working diligently to get this closed so that Board can have accurate figures for both 2023 & 2024 when working on 2025 Budget. The Board did a resolution to authorize the purchase of a salt shed last month. Board will be doing a temporary hold on that purchase until January of 2025. Money is in accounts but not currently in correct account for this payment to be made, need to wait until January when money has been transferred to appropriate account. Another item that should have been done about six months ago according to initial time line is the Town Master Plan. Supervisor Arnold & other people involved have been reaching out to the Engineering Firm for the past 3-4 months with no response. He got no response again today for the last time. J.D. contacted one of the managing partners of LaBerge Group today, will be setting up meeting to either have them finish the job or start over with another group. J.D. is pretty disillusioned with the entire process with LaBerge. The last several month's they have given the Town zero feedback & no meetings have been held. On a County level, building & grounds committee purchased property for a Code Blue Shelter in Saratoga. Shelter is mandated for county residents when temperature goes below freezing. Code Blue Shelter will be built with private donations, solicited by people that run the Code Blue Shelters. They have substantial donations to get project going in the seven figures. This should be up and going for winter of 2025. Social Services currently puts these people up in hotel rooms, which is not cost effective. There was 23 hotels county wide that participated with this program, now there is approximately 12.

Supervisor advised that since there were only three members present, they would streamline approval process. Supervisor Arnold stated that the (A) Abstract was the General Fund for Town. Councilmember Fred Arnold made a motion, seconded by Councilmember Daniel Clemens to approve the General Abstract of Vouchers (A) dated 9/10/24 for a total of \$18,717.90.

All ayes.

MOTION CARRIED

Supervisor stated that (B) Abstract consisted mainly of Senior Bus Trips, the different Board's payroll & Attorney fees. Councilmember Fred Arnold made a motion, seconded by Councilmember Daniel Clemens to approve the General Abstract of Vouchers (B) dated 9/10/24 for a total of \$7,334.52.

All ayes.

MOTION CARRIED

Supervisor Arnold stated that the (DA) Abstract consists of a lot of parts & Health Insurance. Councilmember Fred Arnold made a motion, seconded by Councilmember Daniel Clemens to approve the Highway Abstract of Vouchers (DA) dated 9/10/24 for a total of \$11,979.58.

All ayes.

MOTION CARRIED

Supervisor Arnold stated that (DB) Abstract large item type 3 binder. Councilmember Fred Arnold made a motion, seconded by Councilmember Daniel Clemens to approve the Highway Abstract of Voucher (DB) dated 9/10/24 for a total of \$37,156.45.

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 9/10/24 for a total of \$145.16.

All ayes.

MOTION CARRIED

Supervisor Arnold stated that (TA) Account was paying employee portion of health insurance. Councilmember Fred Arnold made a motion, seconded by Councilmember Daniel Clemens to approve the Trust & Agency Abstract of Vouchers (TA) dated 9/10/24 for a total of \$3,365.44

All ayes.

MOTION CARRIED.

Supervisor Arnold stated that the (TT) Account was paying School Taxes on Pit. Councilmember Fred Arnold made a motion, seconded by Councilmember Daniel Clemens to approve the Tri-Town Abstract of Vouchers (TT) dated 9/10/24 for a total of \$1,058.23.

All ayes.

MOTION CARRIED

Supervisor J.D. Arnold stated that the Town Board scheduled an Executive Session for tonight's meeting involving confidential legal matters, in particular waiving Attorney Client privilege in responding to a pending Freedom of Information Request. A personnel matter will also be discussed in Executive Session. On a motion of Councilmember Fred Arnold, seconded by Councilmember Daniel Clemens the meeting was adjourned to Executive Session at 7:23 p.m. to discuss confidential legal matters. No one was asked to attend Executive Session beyond Town Board.

All ayes.

MOTION CARRIED

Supervisor J.D. Arnold resumed Regular Session of Town Board Meeting at 7:35 p.m. He stated that historically when the Town Board resumes Regular Session, they advise that no action was taken, tonight it is different. The Board discussed two items in Executive Session.

The first item discussed was F.O.I.L. requests regarding STAR Farm Blueberry's where they asked for all correspondence; phone calls; emails; text messages regarding any information on said project. The people responsible for giving that information previously advised that they didn't have any information about said project. Supervisor Arnold has discovered a tremendous amount of email correspondence regarding this project. He feels that this lack of sharing communication requested in F.O.I.L was not the transparency the Board wants. The Town Board determined in Executive Session that the information the Supervisor has uncovered will be released as soon as he can copy it. He stated that there were no "smoke & guns" findings. There was however, communications that should have been released. In an effort to fix this the Town Board has decided to release what they have. It would have been much easier to have just released information when it was asked for. Supervisor feels that this action cast a shadow on the Town that they want to get out from under. Correspondence will be released to Heather O'Brien & Donna Miller as quickly as Supervisor can get information compiled.

The second item discussed in Executive Session was a personnel issue. Supervisor advised that today he requested a resignation from a sitting Zoning Board of Appeals Member. He has been deliberating long on this decision and wanted to make sure of what he was doing. You can't be a sitting Board Member passing judgement on someone else when you are being ticketed yourself for violating the Code that you were appointed to uphold. Zoning Board of Appeals Member David McKenzie was asked for his resignation, if resignation is not received the following Resolution action will take place at the October 8, 2024 Town Board Meeting at a 6:45 p.m. Public Hearing. At that same meeting there will also be a Public Hearing at 6:30 p.m. to have the ability if needed to override the 2% tax cap. Three dates need to be set for budget workshops. The final resolution needed tonight, is to do a standard workday reporting for Justice Alison Thomas-Orvasky. Town Clerk stated that Local Law and Proposed removal can be done as one Resolution as Legal Notice will be for both.

RESOLUTION #: 29-2024 – Schedule Public Hearing for Local Law to override tax levy & Public Hearing to remove ZBA Member. On a motion of Councilmember Fred Arnold, seconded by Councilmember Daniel Clemens the following resolution was ADOTED BY ROLL CALL VOTE

Councilmember Fred Arnold – AYE
Supervisor J.D. Arnold-AYE

Councilmember Daniel Clemens – AYE

BE IT RESOLVED that the Galway Town Board schedule a Public Hearing for Tuesday, October 8, 2024 at 6:30 p.m. to approve Proposed Local Law to override the 2% tax levy limits established in General Municipal law 3-C & at 6:45 p.m. hold a Public Hearing pursuant to Town Law 267 for the purpose of removal of an Appointed Member of the Town of Galway Zoning Board of Appeals. At said Public Hearings any person may be heard in favor or against proposed actions as compiled, or for or against any item or items as there in contained.

3-AYES

0-NAYS

MOTION CARRIED

RESOLUTION #: 30-2024 – Set 2025 Budget Workshop dates. On a motion of Councilmember Daniel Clemens, seconded by Councilmember Fred Arnold the following resolution was ADOPTED: AYES – 3 NAYS – 0

RESOLVED that the Galway Town Board set the following dates for 2025 Budget Workshops: September 25, 2024 at 6:00 p.m., September 30, 2024 at 6:00 p.m. & October 2, 2024 at 6:00 p.m.

All ayes.

MOTION CARRIED

RESOLUTION #: 31-2024 – Standard Work Day for Justice Alison Thomas Orvasky. Supervisor advised as members of the State Retirement System we have to document time for a three-month period and then post. On a motion of Councilmember Daniel Clemens, seconded by Councilmember Fred Arnold the following resolution was ADOPTED BY ROLL CALL VOTE: Councilmember Fred Arnold – AYE Councilmember Daniel Clemens – AYE Supervisor J.D. Arnold – AYE

BE IT RESOLVED that the Town of Galway/Location Code 30776 hereby establishes the following as a standard work day for elected and appointed officials and will report this based on the time keeping system records or the records of activities maintained and submitted by those officials to the Clerk of this body.

3-AYES 0-NAYS

MOTION CARRIED

Supervisor J.D. Arnold stated that we will be implementing a sign-in sheet for privilege of the floor & public hearings at the back of room before meeting begins, you will be allowed three minutes. If you don't sign-up you can sign-up the following month to speak.

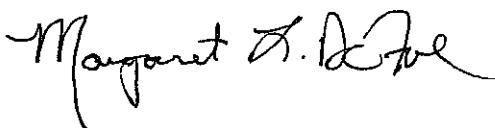
Privilege of the Floor – **Roxanne Marsh** questioned if there was an address for the site for Code Blue in Saratoga. Supervisor Arnold stated big empty lot across from the Price Chopper Plaza on Ballston Avenue. **Andy McPherson** advised that vintage camper rally would be held at McConchie Camp Ground on the September 27th & 28th. Gave hand out to interested people at meeting. **Supervisor Arnold** stated that Historian isn't here tonight because she is attending a vintage camper rally. **Monica Vanderhoff** stated that all positions are well staffed with backup if needed for General Election. County flexibility with allowing ½ day shifts has helped with staffing issues. **Supervisor Arnold** stated that County did authorize a pay increase on this as all towns have been experiences the same staffing issues in the past. He was glad to see that they were letting people split shifts.

Councilmember Daniel Clemens made a motion, seconded by Councilmember Fred Arnold to adjourn the meeting at 7:49 p.m.

All ayes.

MOTION CARRIED

Respectfully submitted



Margaret L. DeFoe
Town Clerk

