

AGENDA
Galway Town Board Meeting
October 08, 2024
7:00p.m.

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

Vote to remove an appointed ZBA member pursuant to town law 267
Approval of minutes of the meeting held 09/10/2024
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

EXECUTIVE SESSION

BUDGET RESOLUTION-

- 1) Budget resolution to allocate funds (\$1,500) from Traffic Control Personnel Services (Account # A3310.1) to Traffic Control Contractual (Account # A3310.4) due to their being no paid position in the personnel account and no funds allocated for the cost of electricity in the contractual account.

Increase Account # A3310.4 \$1,500

Decrease Account # A3310.1 \$1,500

OTHER BUSINESS

PRIVILEGE OF THE FLOOR

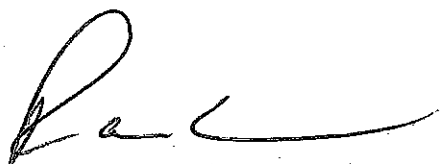
ADJOURN

State of New York
County of Saratoga
ss.;

Randall W. Lewis of the City of Schenectady, being duly sworn, says that he is Principal Clerk in the office of The Daily Gazette, Co. Inc. published in the City of Schenectady and that the notice/advertisement, of which the annexed is a printed copy, has been regularly published in Daily Gazette as follows:

1 insertion(s):

09/16/2024

 (signature)

Randall W. Lewis (printed name)

NOTARY PUBLIC

Sworn to me on this 16 day of September 2024

Notary Signature: 

Heather E Walker NOTARY PUBLIC STATE OF NEW YORK Registration No. 01WA0025380 Qualified in Schenectady County Commission Expires 05/30/2028

**Town of Galway
Legal Notice**

Notice is hereby given that the Town Board of the Town of Galway will hold a Public Hearing on Tuesday October 8, 2024 at the Galway Town Hall, 5910 Sacandaga Road, Galway, NY the purpose of Public Hearing is to receive comments from the public and take action on the following:

6:30 p.m. - A Proposed Local Law to override the 2% tax levy limits established in General Municipal Law 3-C.

6:45 p.m. 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 Hearing 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.

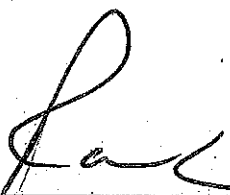
By order of the Galway
Town Board
Margaret L. DeFoe
Town Clerk
9/16 16330

State of New York
County of Saratoga
ss.;

Randall W. Lewis of the City of Schenectady, being duly sworn, says that he is Principal Clerk in the office of The Daily Gazette, Co. Inc. published in the City of Schenectady and that the notice/advertisement, of which the annexed is a printed copy, has been regularly published in Daily Gazette as follows:

1 insertion(s):

09/12/2024

 (signature)

Randall W. Lewis (printed name)

NOTARY PUBLIC

Sworn to me on this 13 day of September 2024

Notary Signature: 

Heather E Walker NOTARY PUBLIC STATE OF NEW YORK Registration No. 01WA0025380 Qualified in Schenectady County Commission Expires 05/30/2028

TO: TOWN OF GALWAY
RESIDENTS
FROM: GALWAY TOWN
BOARD
RE: 2025 BUDGET
WORKSHOPS

Please be advised that
the Galway Town Board
will hold 2025 Budget
Workshops on the
following dates:

September 25, 2024 at
6:00 p.m.
September 30, 2024 at
6:00 p.m.
October 2, 2024 at 6:00
p.m.

16223

PUBLIC HEARING
OCTOBER 8, 2024
GALWAY TOWN HALL

Supervisor J.D. Arnold called the Public Hearing to order at 6:31 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: J. Bonville; S. Costanzo; D. Costanzo, Highway Superintendent; C. Moon; C. Baxter; A. Decker, ZBA Chair; B. Spagnola, Bookkeeper; B. Krueger; J. Trainor, Town Attorney; S. Atkins; P. Flinton; L. & J. Kwiatkowski; D. McKenzie; L. Letourneau & M. DeFoe, Town Clerk.

Town Clerk read Legal Notice Placed in the Daily Gazette on September 16, 2024 and posted at Town Hall; Post Office; Bank; Library & on Town Website advising the public of a Public Hearing to be held on October 8, 2024 at 6:30 p.m. purpose of said hearing is to receive comments from public and take action on Proposed Local Law to override the 2% tax levy limits established in General Municipal Law 3-c. At 6:45 p.m. 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 this hearing 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.

Supervisor J.D. Arnold stated that the purpose of this Public Hearing was to give Town Board the authority to exceed the 2% tax levy limits if needed. Every effort will be made to see that increase doesn't happen. **Bookkeeper, Brandon Spagnola** hoped that 2025 Budget figures once plugged into budget would not exceed the 2% cap. If Board has to exceed tax cap, they will advise public why it was necessary, but hopefully it won't be needed. This is a procedure that has been done for several years except last year. **Attorney, James Trainor** stated that Public Hearing becomes necessary because this action takes the form of a Local Law. For the Town Board to adopt a Local Law it needs a Public Hearing. Now is the perfect lead time to allow for increase if needed. **J.D.** asked for Attorney's suggestion going forward if there were no comments from audience. **Jim** suggested adoption of Local Law to give option to exceed if needed for Budget process. He advised that a 60% approval rate is needed to approve, which would be at least three Member's. **Supervisor J. D. Arnold** asked if there were any questions or comments from audience. There were none.

On a motion of Councilmember Fred Arnold, seconded by Councilmember Ryan Flinton the Public Hearing was closed at 6:35 p.m.

All ayes.

MOTION CARRIED

The second Public Hearing was called to order at 6:49 p.m. All Town Board Members were still in attendance.

Audience was the same with the addition of: S. & B. Burns; C. Carr; M. Luetters, Code Enforcement/Building Inspector; B. Bischoff; M. Rathbun; A. McPherson; R. Daino, Planning Chair; A. & D. Balbian; J. Bellone; J. Snyder; H. O'Brien; T. O'Brien, Dog Control Officer; F. Sutch; B. Adair; T. Boerenko; L. LeClair; Attorney, M. Sgambettera and many other Town residents.

Attorney, James Trainor had Town Clerk read legal notice again. Attorney Trainor asked if Clerk had received any correspondence regarding this? Clerk stated that she had not received anything to date. Attorney Trainor advised that the purpose of this hearing was to give Town Board information in order to make a decision as to whether Zoning Board Member David McKenzie should continue as a sitting Zoning Board Member, or whether he should be removed. This is within the Town Board's authority to approve as well as remove that ZBA Member. What Jim proposes is that the Board hear information from Code Enforcement Officer, Max Luetters as well as Dave McKenzie and or his Attorney as well. Board can then ask questions. Jim didn't anticipate that comments from the general public would be relevant to this decision. After respondents' presentation, Jim would suggest cutting comments off. Once the Board enters Regular Session, they can choose to take action or not. Jim asked Max Luetters, Code Enforcement Officer to come forward to introduce himself and state his position. Max gave an overview of relationship with David McKenzie. In November of 2023 he began speaking with Dave about submitting the necessary documents to achieve a building permit for a single-family home at his residence. Jim asked for a chronological account of what has gone on since then. Max stated that he would be going back & forth with information. He has approximately 25 email correspondences with Dave and numerous in person & phone conversations. In November Max sent Dave an email and attached a building permit submission check list. This document references the documents required to be submitted with a building permit. At that time Dave voiced his concern that he was previously permitted to live in a structure that Max had now advised him he didn't have permission to occupy. Any dwelling or single-family home or structure that you occupy the Town Code references that you need a certificate of occupancy. He then emailed Dave the section of the Town Code referencing the requirement for submittal; and how if you are living in a structure, you need a certificate of occupancy to live in that structure. In the 25 correspondence, numerous deadlines were set, approximately all of which were not met. The only one that could be argued as "met" was a submission of plans on August 30, 2024. When he submitted those plans on August 30th, Max advised him that the plans he submitted were insufficient. Insufficient whereby there is a minimum code standard when you live or occupy a dwelling/structure and the plans submitted didn't demonstrate meeting that code compliance. On that August 30th date which was after he was previously instructed by Max to go to the Zoning Board to petition for a variance because of the size of the structure. One of the large problems with application was size of structure/dwelling that he was occupying didn't meet the minimum size requirement for Town Code. There is a Town Code, and then the Town Code references the Uniform Code which is the Residential Code of 2020 which also references the Energy Code. There are issues with the plans submitted to date, Dave has been asked to work with Max to get the necessary documents. As of that August 30th date, similar to what he said at Zoning Board Meeting he was no longer going to work with them to come into conformance with reference to the 800' requirement. Dave state to Max that he was no longer willing to work

with Max and he needed to site the Code he was referencing. Max on that date advised Dave that numerous emails reference the Town Code/Building Code violations. Dave's August 30th date of refusal to work with Max after numerous referencing to Code was when he told Dave that it was time to have court assist with clarity/detail of plans and having him come into compliance. On August 30th he again reiterated with reference to the Residential Code which references the Energy Code where his plans demonstrate that they are insufficient in detail with reference to Building and frost protection. It is Max's feeling that the plans Dave has submitted are incomplete & need further information & clarity on them. Dave disagreed with Max on information needed to proceed, Max determined at that point on August 30th that court arbitration was needed. Attorney Trainor asked Max to go over the specific code violations. Max stated that there were four violations: 1) Operating without a building permit; 2) Occupying without a certificate of Occupancy; 3) Occupying a residence which has failed to secure a ZBA variance for minimum square footage. 4) Failure to comply with stop work/compliance order. Attorney Trainor stated that there were two underlying issues that made the plans incomplete; questioned Max on why that was. Max reiterated minimum Code for a structure you will occupy; plans submitted to date don't demonstrate this. Jim stated that in Town the minimum square footage for a dwelling is 800 square feet. Max stated that was correct. In terms of Mr. McKenzie sitting as a ZBA Member, Jim asked what effect this has on Max's ability to do his job. Max stated that he relies on Town Board/Planning Board/ZBA to back his duties & decisions. It will be hard for him to make decisions if the Boards don't stand together on his enforcement capabilities. Jim questioned if he felt this impedes his ability to hold others accountable and enforce the Code with respect to other applicants? As the Code Enforcement Officer, he stated that he enforces the Code uniformly, every applicant has to adhere to the minimum Code. If Max can't get this applicant to follow the minimum Code requirements, how will he be able to get others to comply. Jim asked if the Town Board had any questions, they wanted to ask Mr. Luetters? There were none. Attorney Trainor stated at this time Attorney Matthew Sgambettera will address Town Board on behalf of Mr. McKenzie. Attorney Sgambettera thanked Town Board for opportunity to address Board on behalf of Mr. McKenzie. He will not get into too much detail on compliance issues. He would like to address more of the overall efforts at compliance. Attorney Sgambettera disagreed with Mr. Luetters on the following: On July 9, 2024 ZBA meeting (meeting was actually July 2, 2024) Mr. McKenzie requested Board allow him to occupy a mobile home within the A/R District with 472 sq. ft. of living space excluding porches & covered areas. Mr. McKenzie recused himself from the vote. ZBA decision was 1 – no, 1 – yes & 1 abstain, not carried and at that time left open. Denied without prejudice and could be brought before the Board again. On July 12th Mr. Luetters sent a compliance letter to his client stating that the ZBA voted "no" for variance. He requested that Dave take measures to comply with in particular 115-38C of Town Zoning Code which requires 800 sq. ft. for a single-family residence, giving 14 days to comply. Licensed engineer, Harold Berger worked overtime to create a set of stamped plans increasing square footage of residence from 472 sq. ft. to 842 sq. ft. of living space and submitted to Building Department on July 17th for approval. In addition, Mr. Berger addressed the "R" value insulation concerns by replying to Mr. Luetters indicating that although minimum R33 value is required for this type of structure; as set forth in these plans the minimum would be R35 which would exceed the requirement. He understands when someone is

unwilling to work with a Town Code Enforcement taking position "I won't do it". When he hears that, he understands how a Building Inspector would ask for removal of his client from ZBA. However, documents submitted from a 3rd party to Town for approval don't hold with what Mr. Luetters is saying. These plans were submitted within a really short period of time even after denial of ZBA application. Plans that fully comply with building code, signed off by an engineer. This is not "Non-Compliance" this is "Compliance". This is exactly what you want in Town. You want the residents to comply with the requests of the Building Department. You also want people to do this within a timely manner, which again was done here. There is a continual reference to an 8/30/24 deadline that Attorney Sgambettera is not sure what that date references, he has all the correspondence between parties. It appears to him that Mr. McKenzie as a Town resident and member of the ZBA has done everything he should do in terms of attempting to comply. He doesn't know why a permit wasn't issued per Mr. Berger's stamped plans. Still not sure why there is still an issue with thermal code compliance. This was not cited in the appearance tickets in September. The issue was 800 sq. ft. of living space that was complied with. The issue before Town Board of whether Mr. McKenzie should continue on as an appointed member of the Zoning Board of Appeals. Within reasonable cause, Mr. McKenzie documentation evidences that he has complied with what the Town wanted in this instance. He has attempted now to transition what is currently in existence into an 800 sq. ft. facility. Attorney Sgambettera hasn't gotten into the background on this project. Mr. Luetters was not involved in this project from the beginning, there was a prior Building/Code Officer. Do not attribute whatever statements that past Building/Code Officer may have made to Mr. Luetters. When Max came in, he stated this is what you need to do to comply. Dave stated that he was actually very easy to work with. Attorney reviewed areas of concern and agreed with Code requirements, all these things have been addressed. Would like Mr. Luetters to work with Engineer to find out the best way to get all Code issues done. Appreciate Board giving him time to respond on behalf of his client. In this instance it is up to their discretion and he doesn't feel there is cause for removal based upon his client's continued efforts and quick attempts to address the issues after the conclusion of ZBA decision in July. Attorney Trainor would like Max to address the issue of Attorney Sgambettera with reference to plans submitted. Max stated that the date the plans were submitted to him he advised the applicant that they were insufficient in clarity & detail about two main things; Thermal envelope of building & application of frost protection. There're no details in plans about the existing structure having frost protection. This is a minimum code requirement. Jim stated that the way this plays out as he understands it is there are two separate structures joined together by a deck, only one of which has frost protection. Max stated that was correct. Jim stated that the dwelling is only the 400± sq. ft. not 800 sq. ft. Attorney Sgambettera stated that original building was 472 sq. ft. addition was 20 x 24 which would be total of 842 sq. ft. excluding walkways & covered porches. Max stated that there are two separate structures in plans and the one he is living in doesn't address the thermal envelope of building and reference to frost protection.

On a motion of Councilmember Fred Arnold, seconded by Councilmember Daniel Clemens the Public Hearing was closed at 7:08 p.m.

All ayes.

MOTION CARRIED

REGULAR MEETING
OCTOBER 8, 2024
GALWAY TOWN HALL

Supervisor J.D. Arnold called the Regular Meeting to order at 7:08 p.m. The Board Members & Audience were the same as 2nd Public Hearing.

Supervisor J.D. Arnold stated that he wanted to go on the record speaking for himself regarding the discussion that has gone on for over a half hour and before a vote is taken, stating there is nothing personal. If you sit on an elected or appointed position with the Town, we are entrusted with the public's trust to do what is right. We can't be in violation and then judge other people. This has been a controversial issue that came up right away when Max started. Board stated at that time they would be supportive of him trying to clean up issues that were found from the past. He feels strongly that if you sit on a Board and make decision for the Town or passing judgement against anyone else in Town you have to be above reproach. He feels this is a case where it is not the case. As long as he is Supervisor not going to condone this type of behavior.

RESOLUTION #: 32-2024 – Removal of ZBA Member. Attorney James Trainor suggested that the Town Board comment regarding this request before motion is made. Councilmember Fred Arnold stated that he had nothing to say. Councilmember Daniel Clemens agreed with Supervisor and stated that they had to be held to a high standard when you are making decision on zoning and you are not coming into compliance yourself, that doesn't seem proper to him. Councilmember Ryan Flinton stated that he spent time talking with Max on this issue. He sees where everyone is coming from. He also knows there was a lot of content in background that led to this. Councilmember James Ross agrees with everything that has been said. 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 Ryan Flinton – ABSTAIN

Councilmember Daniel Clemens – AYE

Councilmember James Ross – AYE

Supervisor J.D. Arnold – AYE

BE IT RESOLVED that the Galway Town Board pursuant to Town Law 267 made a motion for removal of David McKenzie as an appointed member of the Zoning Board of Appeals effective immediately.

4 – AYES 0 – NAYS 1-ABSTAIN

MOTION CARRIED

Councilmember Fred Arnold made a motion, seconded by Councilman Daniel Clemens to approve the minutes of the September 10, 2024 Regular Meeting as submitted.

All ayes.

MOTION CARRIED

Communications – Town Clerk stated that Legal Notice was placed in Daily Gazette on September 13, 2024 advising the public of 2025 budget workshops to be held September 25, 2024, September 30, 2024 & October 2, 2024 all at 6:00 p.m. Board Members received copies of the following correspondence: Petition from residents of Lake District requesting to mandate restrictions for future dog ownership from Frank Demmert, owner of dangerous dog; Correspondence from Lynne Gippe, Secretary of Harmony Corners Fire District advising that

2025 budget hearing would be held October 17, 2024 at 7:00 p.m. at Harmony Corners Firehouse; September Highway Maintenance Report with Schedule for October along with Bulk Waste Drop of dates; Board received large amount of email correspondence from the following: Zigurat Institute of Technology educational opportunities; RISE Housing & Support Services; Lollypop Farm; Weekly Updates from State Comptroller; Empire Center for Public Policy; USU Executive Series; Gordian; NYS Environmental Facilities Corporation; Millennium Strategies; NYS Department of State; Saratoga County Flood Risk Review Presentation from FEMA & Association of Towns October Newsletter.

Reports of Committees – **Historian, Darby** advised that she displayed copy of Platt Smith Family Book in her vintage camper while on vacation in the Finger Lakes for others to enjoy some Galway History. Met with Platt Smith Family on August 20th, did tour of cemetery & family home. She was given pictures of the family farm currently owned by Baily Family on Jockey Street. She has been in contact with a gentleman from China regarding Dean Lung. She has a meeting on Saturday at the St. Mary's Cemetery to determine the names of Veteran's buried there. Frank Moon of Illinois will be coming to view the grave stone for his 3rd Great Grandfather, Thomas Moon. The Moon's that invented the potato chip in Saratoga were part of his family. Would like to resume her history research of North Galway. Preservation Society display cases change will begin soon with Lions Club on one side and Glenville Hills Garden Club on the other. **Youth Commission, Fred** advised they are looking at budget to see where they currently stand. Working on paperwork for County. Looking into option to change Family Fun Day to a weekend event of fun activities; trying to get figures together to see if it is feasible. Supervisor Arnold stated that Sam Price will be applying for some grant opportunities available to youth commission programs. **Planning Board, Jim** stated that Damion & Alexandra Jabot received approval for a minor subdivision on Sacandaga Road. Melissa Dropper was set for public hearing in October for minor subdivision on McConchie Road. Martel Haynes was in for special use permit on property located on Jockey Street, past administration issued an accessory building permit without there being a primary residence. Currently application is tabled. **Dog Control, Tom** stated that he has a couple court appearances scheduled for this month that were adjourned from last month. Other than that things are quiet. **Building Department, Max** stated he will continue to advocate for the public & work with the Board's to obtain uniform enforcement. Supervisor Arnold stated that a lot of the zoning/building issues going on are inherited. The current building year is going smoothly with no issues, we continue to muddle thru the inherited issues as best we can. We strive to work with the public to obtain voluntary compliance on these issues. J.D. thanked Max for the work he does and continues to work thru. **Highway, Dave** stated for September they paved Donnan Road from Jockey to Crane Roads; paved Parkis Mills Road from Alexander to Crane Roads; paved with Ballston, Charlton & Milton; Ditched Antioch & Parkis Mills Roads; replaced culverts on Hermance Road; continued site preparation for salt shed; hauled gravel to shop & mowed ROW's, ball fields, Town Hall as well as cemeteries. For October they will continue their paving; finish site preparation for salt shed; mow as needed ball fields & Town Hall. Bulk Waste Drop off last week had 47 residents participate; today they have had 15 people. Dave went over with Board recent mandate that were just passed by State regarding electric vehicles, Municipalities are not exempt from this requirement. He has a company that has a surplus of diesel dump trucks available for purchase

now, currently if order take up to 5 years to get. Dave gave an overview of the dump trucks currently in his inventory. Option is there if Board wants to act on it now, Board can back out at any time as he is guaranteed to sell these trucks. J.D. stated that Board needed to get a better handle on where they stand with one more workshop to make this type of decision. **ZBA, Daniel** stated last week's meeting had all 5 members in attendance. There were four applications on Agenda for review. Area variance on Hermit Point Road approved 5-0; Code Interpretation for Crane Road declined 3-NO 2-YES; Area Variance Hermance Road tabled 5-0; Area Variance Route 29 approved 5-0. **Supervisor** –Most important item before Board is the current 2025 Budget. The Board has had three workshops to date and has spent at least two hours each night on that budget. He is very confident with the addition of new Bookkeeper on staff that budget will be the most accurate budget we have had in some time. One more budget workshop is needed.

RESOLUTION #: 33-2024 -Additional 2025 Budget workshop. On a motion of Councilmember Fred Arnold, seconded by Councilmember Ryan Flinton the following resolution was ADOPTED: AYES – 5 NAYS – 0

RESOLVED that the Galway Town Board set the following date for an additional 2025 Budget Workshop: October 16, 2024 at 6:00 p.m.

All ayes

MOTION CARRIED

RESOLUTION #: 34-2024 - Set date for Public Hearing on 2025 Budget. 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 schedule a Public Hearing for review of the 2025 Budget to begin at 6:45 p.m. & Regular Meeting to begin at 7:00 p.m. on November 12, 2024. Legal Notice will be placed in Daily Gazette with proposed salary figures for Elected Officials as soon as Preliminary Budget is given to Town Clerk.

All ayes.

MOTION CARRIED

Town Clerk stated that Tentative Budget were here for the Public to take with Elected Official salary figures for 2025 indicated. Supervisor Arnold stated that the property taxes basically cover Galway Fire; Harmony Fire; Ambulance Corp; Health Insurance & Town Contribution to NYS Retirement Program. The rest of our funding comes from outside sources.

Supervisor went over the struggle Town Board is having and will continue to have with astronomical health insurance increases. J.D. has talked with a couple insurance representatives and they have indicated that health insurance will increase at around 8% yearly for the foreseeable future. Revenue that showed in budget that Board was hoping to transfer from community center to salt storage facility was anticipated ARPA funding that didn't come. LaBerge Group stated that document with substantial completion would be received by end of October, Supervisor will let everyone know next month if that is received. J.D. had a meeting with Heather & Beth from Ambulance Corp. advising that Mike Jazwinski is retiring from Ambulance Corp. at end of October. They have been having a staffing issue over the last couple years. People are interested in coming on Board but not until at least November, Community Care is going to be stepping in to help in the interim. Fred & J.D. met with the negotiating team

from the Highway Department regarding their contract a couple weeks ago. Insurance Representative don't do health insurance set up meeting with Broker to discuss options available to highway for health insurance on Friday. October 26th is Harvest Festival if anyone is interested in volunteering. Music, dancers, food, vendors. Melissa Rathbun stated Blueberry Festival had between 65-70 vendors Harvest Festival is currently at about 25-30.

Large portion of (A) Abstract was for misc. technology items, and insurance. Councilmember Fred Arnold made a motion, seconded by Councilmember Daniel Clemens to approve the General Abstract of Vouchers (A) dated 10/8/24 for a total of \$16,881.25.

All ayes.

MOTION CARRIED

Supervisor stated (B) Abstract is mainly Attorney Fees & Board Salaries. Councilmember Daniel Clemens made a motion, seconded by Councilmember Ryan Flinton to approve the General Abstract of Vouchers (B) dated 10/8/24 for a total of \$6,615.88.

All ayes.

MOTION CARRIED

Supervisor stated (DA) had a lot of parts. Councilmember Ryan Flinton made a motion, seconded by Councilmember James Ross to approve the Highway Abstract of Vouchers (DA) dated 10/8/24 for a total of \$11,753.41.

All ayes.

MOTION CARRIED

Councilmember James Ross made a motion, seconded by Councilmember Fred Arnold to approve the Highway Abstract of Voucher (DB) dated 10/8/24 for a total of \$97,212.32.

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 10/8/24 for a total of \$170.07.

All ayes.

MOTION CARRIED

Councilmember Daniel Clemens made a motion, seconded by Councilmember Ryan Flinton to approve the Trust & Agency Abstract of Vouchers (TA) dated 10/8/24 for a total of \$3,365.44.

All ayes.

MOTION CARRIED

No Executive Session Needed.

Supervisor stated that a Supervisor's Report should be included each month to let Board see where everything is at fund wise. Major breakthrough in the Bookkeeping Department this week able to close up through August. Councilmember Fred Arnold made a motion, seconded by Councilmember Ryan Flinton to approve the Supervisor's Reports from January 1 2024 through August 31, 2024.

All ayes.

MOTION CARRIED

RESOLUTION #: 35-2024 – Local Law No. 2 of 2024. On a motion of Councilmember Fred Arnold, seconded by Councilmember Daniel Clemens 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 James Ross – AYE

RESOLVED THAT THE Town Board Approve Local Law No. 2-2024 entitled “A Local Law to Override the Tax Levy Limit Established in General Municipal Law 3-C”.

5-AYES 0-NAYS MOTION CARRIED

RESOLUTION #:36-2024 – Budget Amendment –Brandon stated account was set up incorrectly with money put into payroll account when there is no crossing guard on staff and nothing was put in the contractual account to actually pay the school traffic lighting. Supervisor advised that \$1,500 needed to be moved from the traffic control personnel services account A3310.1 to traffic control contractual A3310.4 due to their being no paid position in the personnel account and no funds allocated for the cost of electricity in the contractual account. On a motion of Councilmember Ryan Flinton, seconded by Councilmember James Ross the following resolution was ADOTED: AYES – 5 NAYS – 0

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

Decrease	A 3310.1	Traffic Control Personnel Services	\$1,500.00
Increase	A 3310.4	Traffic Control Contractual	\$1,500.00

All ayes. MOTION CARRIED

OTHER BUSINESS – NONE

PRVILEGE OF THE FLOOR – **Brian Burns** of Cruthers Road stated that he wasn't at last meeting and J.D. wasn't at the meeting before due to his dad's passing gave J.D. his condolences. Brian stated Dave wasn't present at that meeting either due to injury from truck accident. Gonzo was present in his absence. Brian had concern with minutes that Town Clerk didn't put wording he felt Gonzo said regarding work done on Donnan Road. Clerk had indicated that minutes were to the best of her ability. For three and a half weeks Supervisor couldn't return his texts or calls, then stated that Stephanie complained to County Supervisor about him. Supervisor advised him that there was an accident with Town truck & insurance company covered it. Brian didn't feel that was an appropriate answer to a tax paying resident of Town. If in-fact the Town has had 2-3 trucks totaled by the same Town Supervisor he feels that is probably in need of more looking into than Dave McKenzie living in a tiny home. The previous Code Enforcement Officer advised him that he could do, like Councilmember Flinton's gun range. This is his opinion. Minutes from other Board's are not even close to what is actually going on at those meetings. That position is paid, should be able to get minutes that reflect what actually happened. He believes the Councilmember's that attend these meetings could attest to that. Would like an update on Blueberry Farm still on market. That has a \$4,000 structure that Treavor & Mike Smith said he could have and it still exists. Auditing actually going to happen with State? Supervisor Arnold stated that they have stated that they will be doing an audit, no further information has been given. Three of the current Board sat beside Mike and allowed him to do the things he did. Supervisor had meeting with a resident of Town regarding cable and reference was made to Stewarts lowering price of gas to get mile of cable laid. Supervisor has indicated to Brian that he is checking out on Cruthers Road don't want to hear any more about it. You stated transparent available and here for Town. If he came to

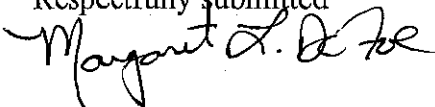
Supervisor with something incorrect, please correct him. Legitimate concerns that need to be addressed. You stated to him that Highway Superintendent has final say on work done to Cruthers Road. A man living in a home that he has spent thousands of dollars on is fired from a Board when a previous Supervisor & Code Enforcement Officer stated that he could do this. He was raised here moved away and came back to retire. You have a woman living in a shed, people living in building without a CO. Last winter someone was living in a camper. All of which the Town has done nothing about. Supervisor Arnold stated that Brian's five minutes were up. **Brad Bischoff** asked for clarification on budget amendment. Was a salary paid out for this? Supervisor Arnold stated that no salary has been paid for Crossing Guard in years. Were any of the positions that had a salary line indicated but not person put into place been paid out? Supervisor Arnold stated that those positions were not paid out or filled. Went into discussion regarding Crossing Guard position and availability for students to cross for Galway Local. School policy still doesn't allow students to cross over to Galway Local during school hours. **Herman Niedhammer** questioned if Crossing guard was going to be put back into place once parking lot was created across from school. Supervisor stated school would need to advise when this was going to take place so Town could do that. **John Bonville** went into discussion regarding stop signs at Jersey Hill Kania Road intersection. Highway Superintendent Dave Costanzo stated that road study was done in July of 2022. **Teal Boerenko** questioned where the franchise check goes every year. Supervisor Arnold stated he believes it goes into General Fund. As soon as meeting with Spectrum is scheduled Teal will be notified, no contact has been made regarding contract to date.

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

All ayes.

MOTION CARRIED

Respectfully submitted



Margaret L. DeFoe
Town Clerk