

Town Board Meeting
November 1, 2022
Tannery Pond and via Zoom (REVISED 11/9/22)

In Attendance: Andrea Hogan – Town Supervisor
Arnold Stevens – Councilman
Pete Olesheski – Councilman

Justin Gonyo – Councilman
Gene Arsenault – Councilman (via Zoom)
Jean Comstock – Town Clerk

1. Meeting called to order at 7:00PM, pledge led by Mr. Olesheski
2. Approval of Minutes from October 18, 2022

RESOLUTION # 22 - 201

Mr. Stevens made a Motion to approve the Minutes of the October 18, 2022 Town Board Meeting and moved its passage with a Second Motion from Mr. Gonyo. With the following Board Members present voting in favor the Resolution is carried. Ayes – 5 (Olesheski, Gonyo, Hogan, Arsenault, Stevens); Nays - 0.

3. New/Old Business

- a. Ashley Walden – overview of World University Games (Tricia Preston – lead on Community Relations); (Bethany Valenze – volunteer); brief presentation; January in North Country Region – Lake Placid, Potsdam/Canton & North Creek area; number of athletes 1600 in 12 sports; doubled since 1980 Olympics; link on the website of slide show; 86 medal events; delegation officials, techs, coaches, etc.; 105,000 forecasted attendance, based on ticket sales; 51 countries right now; 600 universities represented; there is a commemorative poster – let them know if businesses would like a framed copy of this; tricia.preston@lakeplacid2023.com to get a copy of this poster; workbook/activity book K-6, would like to get to schools in the area; encouraging businesses – adopt a delegation; 14 departments utilizing volunteers; looking for drivers/assistants, attaché (any 2nd language skills are preferred); at the Mountain – event attendants, sports volunteers; please see audio/video for more specific information; there will also be a torch relay, North Creek will be included; that was a lot of information – any questions? Ms. Nettle – how do we sign up for volunteer work? Bethanie – online at lakeplacid2023.com; fill out application and we'll be in touch; Supervisor Hogan – can teams sign up for the grant program? Bethanie – yes, I'll give you my contact information for this; Ashley – will be at the Ski Swap at the School; come and meet us there; thank you for including us; Supervisor Hogan – thanks for being with us tonight; Ashley – ESPN is our broadcast coverage.

- b. Eagle Scout – Mr. Gonyo – read Resolution for Cole Sears and his accomplishments in making Eagle Scout; Board signed document.

- c. National Ski Patrol request for camping at Ski Bowl – what is the purpose? Mr. Bayse – the patrol would like to do a search & rescue training, simulating a lost hiker/skier; Mr. Olesheski asked what the attendance might be like? Mr. Bayse – less than 20; on the mountain during the day and camp out overnight.

RESOLUTION # 22 – 202

Mr. Stevens made a Motion to approve camping at the Ski Bowl for the Search & Rescue Training and moved its passage with a Second Motion from Mr. Olesheski. With the following Board Members present voting in favor the Resolution is carried. Ayes – 5 (Olesheski, Gonyo, Hogan, Arsenault, Stevens); Nays - 0.

- d. Water District – Supervisor Hogan – we’ll bring proposals at the next meeting to move the project along, \$3,000,000 grant; we’ll have numbers pulled together; money coming in is not enough at this time; 15 years since a rate increase; Mr. Olesheski asked - will Chuck & engineers be present? Supervisor Hogan – yes; no proposal to raise rates until we know what is included; any questions or concerns at this time; Mr. Gonyo asked – he’ll come with a full scope of work? Supervisor Hogan – we’ll have some information; Mr. Olesheski – we’ve talked about water meters, is this part of the conversation? Supervisor Hogan – yes; Mr. Gonyo -- \$3,000,000 won’t be enough; Supervisor Hogan – it’s closer to \$6,000,000; we won’t have hard numbers on this; Mr. Gonyo – what will the bond structure look like? Supervisor Hogan – we’ll have that information; Mr. Olesheski – we need to keep it part of the discussion.
- e. 2023 Budget vote – changed line DA1940.2 to \$25,000; are we ready to vote on budget? Mr. Gonyo - I just want to make sure the bond payments, spacing out over 5 years and what is actually in the highway department; 5-year plan reflected as a line item in the budget; Supervisor Hogan – equipment reserve is reflected what is being taken out of fund balance; Mr. Gonyo – over the next five years \$155,000 per year; Supervisor Hogan – it’s both equipment purchases and spending down the reserve; reserve fund almost depleted at the end of 2026; Mr. Arsenault – what happens when the reserve fund runs out in 2026; Supervisor Hogan – if some things are purchased and not in inventory, money would roll into the reserve; a lot of moving pieces between now and 2026; Mr. Gonyo – what about the tandem? Mr. Comstock – would like to order at least one; Mr. Gonyo – cash or bond? Supervisor Hogan – cash, but we will discuss at the end of the current bond; Mr. Gonyo – best course of action would be bond.

RESOLUTION # 22 – 203

Mr. Arsenault made a Motion to accept and approve the 2023 Budget and moved its passage with a Second Motion from Mr. Stevens; With the following Board Members present voting in favor the Resolution is carried. Ayes – 4 (Gonyo, Hogan, Arsenault, Stevens); Nays – 0; Abstain – 1 (Olesheski)

- f. Tractor purchase – Mr. Comstock - we have an opportunity to purchase the tractor we are currently renting; current quote of \$48,000; I’ve called to find similar tractors – all are new, smaller \$147,000 to \$168,000; Supervisor Hogan – request is for \$48,000, no further monies; \$189,000 originally in budget; our Procurement Policy requires 3 quotes – it’s a used piece of equipment and can’t get comparable quotes; Mr. Comstock will attach quotes to paperwork; if you’re comfortable with it; Mr. Gonyo – asked can we get quotes/no quotes from dealer? Mr. Comstock noted that he would do that.

RESOLUTION # 22 – 204

Mr. Gonyo made a motion to approve the purchase of the tractor currently being rented by the Highway Department and moved its passage with a Second Motion by Mr. Olesheski. With the following Board Members present voting in favor the Resolution is carried. Ayes – 5 (Olesheski, Gonyo, Hogan, Arsenault, Stevens); Nays - 0.

- g. Surplus Equipment – Mr. Comstock noted that the two new tandems should be here by the end of the month; Mr. Comstock indicated that there is a 1995 Tandem new after the fire – box off, flat bed, used for water truck – no use once new trucks come; I’d like to put it out to auction; old sander, parts sander, generator, never run, old military surplus generator; it’s not used; tires that don’t fit any of our equipment; Mr. Gonyo asked – cumulative value? Mr. Comstock noted – no idea what the truck would bring; using Govdeals; they’re coming Thursday to take pictures; if we could get \$10,000 for it all it would be great; Supervisor Hogan – the money will stay in the Highway fund, but asked ; what will we do for a water truck; Mr. Comstock we have another truck we can use; Supervisor Hogan noted that the Board needs to declare them to be of no use; 1995 tandem, a sander, parts sander, generator, tires – declaring these items to be surplus.

RESOLUTION # 22 – 205

Mr. Stevens made a Motion to declare the equipment – 1995 tandem, a sander, a parts sander, a generator and miscellaneous tires to be surplus – moved its passage with a Second Motion from Mr. Olesheski. With the following Board Members present voting in favor the Resolution is carried. Ayes – 5 (Olesheski, Gonyo, Hogan, Arsenault, Stevens); Nays - 0. Mr. Olesheski asked - do we generally give the Highway Superintendent to right see the bids and make the decision; with Auctions International – Board gets final decision; Mr. Comstock noted we don't have to sell if it's not a good price; Supervisor Hogan – 2020 surplus was sold and Mr. Comstock had the final say; Mr. Comstock noted that - \$49,000 in 2020. Delegating the authority to Mr. Comstock. Mr. Comstock also noted this is the same company that Warren County uses for their surplus equipment.

RESOLUTION # 22 – 206

Mr. Stevens made a Motion to allow Highway Superintendent Comstock the authority to make the final decisions regarding the sale of the surplus equipment and moved its passage with a Second Motion from Mr. Olesheski. With the following Board Members present voting in favor the Resolution is carried. Ayes – 5 (Olesheski, Gonyo, Hogan, Arsenault, Stevens); Nays - 0.

- h. Ski Bowl Park Survey – 2007 grant to be closed; survey from Van Dusen and Steves, execution of grant for Connector Trail; move off Front Street Property; Mr. Gonyo – will survey come out of grant money? Supervisor Hogan – no, out of fund balance - \$22,000; Mr. Arsenault – surveying the entire park, have we taken that into consideration? Ms. Nettle – it is the whole park.

RESOLUTION # 22 – 207

Mr. Arsenault made a Motion to approve the survey for the Park Grant and moved its passage with a Second Motion from Mr. Gonyo. With the following Board Members present voting in favor the Resolution is carried. Ayes – 5 (Olesheski, Gonyo, Hogan, Arsenault, Stevens); Nays - 0.

- i. Safety Allotment – Supervisor Hogan – Mr. Dunkley put together a procedure for this; is the Board comfortable approving this understanding there will be some amendments to document? Mr. Stevens asked if we could run this by the Town Attorney? Supervisor Hogan noted that we absolutely can.

RESOLUTION # 22 – 208

Mr. Gonyo made a Motion to approve the Safety Allotment procedure with the amendments being made and moved its passage with a Second Motion from Mr. Arsenault. With the following Board Members present voting in favor the Resolution is carried. Ayes – 5 (Olesheski, Gonyo, Hogan, Arsenault, Stevens); Nays - 0.

- j. Scrap Metal Bid – Supervisor Hogan noted that each year we put this out to bid.

RESOLUTION # 22 – 209

Mr. Gonyo made a Motion to put the Scrap Metal bid out and moved its passage with a Second Motion from Mr. Olesheski. With the following Board Members present voting in favor the Resolution is carried. Ayes – 5 (Olesheski, Gonyo, Hogan, Arsenault, Stevens); Nays - 0.

- k. Standard Medical Contract – Supervisor Hogan noted that it's the same Contract as last year, we use this company for our drug testing.

RESOLUTION # 22 – 210

Mr. Olesheski made a motion to approve the Standard Medical Contract for 2023 and moved its passage with a Second Motion from Mr. Stevens. With the following Board Members present voting in favor the Resolution is carried. Ayes – 5 (Olesheski, Gonyo, Hogan, Arsenault, Stevens); Nays - 0.

- I. Local Law – Town Clerk explained the error on her part in filing Local Law # 3-2022 for the Breaking the Proposed Tax Cap; in order to rescind that Local Law, another Local Law needs to be approved. A Public Hearing would need to occur in order to do this. Supervisor Hogan noted we need to proceed with caution and may want the Town Attorney input. Mr. Olesheski asked why we would need Town Attorney input?–

RESOLUTION # 22 – 211

Mr. Gonyo made a Motion for a Public Hearing on November 15, 2022 at 7:00PM to rescind Local Law #3-2022 with Local Law #4-2022 and moved its passage with a Second Motion from Mr. Olesheski. With the following Board Members present voting in favor the Resolution is carried. Ayes – 5 (Olesheski, Gonyo, Hogan, Arsenault, Stevens); Nays – 0.

- m. Supervisor Hogan – we do receive a lot of requests for items on the Agenda; not all items will be added to Agenda and discussed; always happy to answer questions; workload at Town Hall needs to supersede requests. Mr. Olesheski noted that the ORDA Agreement – 3rd version; Article #8 specifically – 4/16/2037 – ORDA surrender property, etc. lifts, infrastructures, improvements within 1 year of contract by ORDA; the way I read it no; there would be a discussion, it would come back to us along with any abandoned property; we wanted to have an expiration date; during discussions my feeling was having a clause in there, it gave the Town and ORDA an out; we’ll come back to the table for discussion; I don’t think we need to worry too much right now; let’s continue to building our relationship with ORDA, huge investment with new lodge, year round activities – that’s what I would like to focus; a little closer to end of contract before we start to really worry; the construction of the lodge is an improvement; Mr. Mosher - \$30,000 lodge, we’re going to end up in the same boat we’re in with this Tannery Pond; Mr. Olesheski – I’d like to work with ORDA over the next 15 years; I’ve been hard on them and critical at times – they want to be a good neighbor; they have not taken anything from us; Mr. Mosher – read the contract carefully; Mr. Mosher – what are we going to do? Mr. Olesheski – I don’t know who will do what in 15 years; we can’t put a stop to it; I don’t know what it will be; Supervisor Hogan – we’re taking a 5 minute break; Ms. Sabattis – we’re leaving our children with a huge debt. Mr. Mosher – it is an open meeting.
- n. Purchase of laptops – we’re going to need three (3); Town Clerk - \$269; for the other two – slightly bigger laptop; not to exceed \$1,500.

RESOLUTION # 22- 212

Mr. Gonyo made a Motion to approve the purchase of three (3) laptops, not to exceed \$1,500 and moved its passage with a Second Motion from Mr. Stevens. With the following Board Members present voting in favor the Resolution is carried. Ayes – 4 (Gonyo, Hogan, Arsenault, Stevens); Nays - 0. Abstain – 1 (Olesheski) Supervisor Hogan noted that these will come out of ARPA funds.

- o. Solid Waste Hauling/Disposal bid will discuss at a later date.
 - p. Ski Bowl Connector Trail Parcel Lease – will be discussed at a later date.
4. Committee Reports – no discussion at this time.

5. Warrants – Supervisor Hogan asked if all had a chance to review the Warrants?

RESOLUTION # 22 – 213

Mr. Stevens made a Motion to approve the Warrants and moved its passage with a Second Motion from Mr. Gonyo. With the following Board Members present voting in favor the Resolution is carried. Ayes – 5 (Olesheski, Gonyo, Hogan, Arsenault, Stevens); Nays - 0.

GENERAL FUND:	\$ 63,503.54
HIGHWAY FUND:	\$ 26,720.16
LIBRARY FUND:	\$ 677.60
EMS:	\$149,878.75
WATER DISTRICT:	\$ 8,927.77
TRUST & AGENCY:	\$ 640.48
TOTAL	\$250,348.30

6. Supervisor Hogan noted that the 10/18/22 Warrants had an overpayment and needed to be amended; any questions or concerns?

RESOLUTION # 22 – 214

Mr. Olesheski made a Motion to approve the Amendment to the 10/18/22 Warrants due to an overpayment and moved its passage with a Second Motion from Mr. Stevens. With the following Board Members present voting in favor the Resolution is carried. Ayes – 5 (Olesheski, Gonyo, Hogan, Arsenault, Stevens); Nays - 0.

7. Supervisor Hogan – we’re now moving to Executive Session at 8:25PM. May have a Motion to discuss after Executive Session.

RESOLUTION # 22 – 215

Mr. Gonyo made a Motion to adjourn the Executive Session at 9:03PM and moved its passage with a Second Motion from Mr. Stevens. With the following Board Members present voting in favor the Resolution is carried. Ayes – 5 (Olesheski, Gonyo, Hogan, Arsenault, Stevens); Nays - 0.

RESOLUTION # 22 – 216

During the Executive Session there was a Motion to terminate an employee, the name will be on Public Record. Mr. Arsenault made a Motion to terminate a Town Employee and moved its passage with a Second Motion from Supervisor Hogan. With the following Board Members present voting in favor the Resolution is carried. Ayes – 4 (Gonyo, Hogan, Arsenault, Stevens); Nays – 0; Abstain – 1 (Olesheski) During the Executive Session Mr. Gonyo (Personnel Committee) noted that interviews for Park & Rec position, there were 5 applicants; 2 did not meet the minimum qualifications and 3 were interviewed; recommendation to fill that position with Mr. Olesheski.

RESOLUTION # 22 – 217

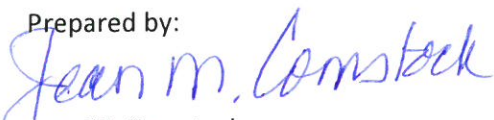
Mr. Gonyo made a Motion to approve the hiring of Mr. Olesheski at \$50,000/year and Supervisor Hogan the authority to negotiate with Mr. Olesheski and moved its passage with a Second Motion from Mr. Stevens. With the following Board Members present voting in favor the Resolution is carried. Ayes – 4 (Gonyo, Hogan, Arsenault, Stevens); Nays – 0; Abstain – 1 (Olesheski). Supervisor Hogan – I’m excited, it’s been over a decade since citizens have been requesting this position be created, absolutely the right candidate; not an easy decision of the 3 candidates, but Mr. Olesheski was the best candidate; congratulations I’m excited to work with you; all in favor. Mr. Olesheski - I am very happy to accept this position; there are some things we need to hash out.

8. Mr. Williams – could we ask to have a Privilege of the Floor? Supervisor Hogan - are all comfortable with that? It's not a Q&A session, please limit to 3 minutes:
- a. Ms. Bowers – I've lived in Johnsbury for 13 years, live in North River, work in North Creek; very welcoming area; I feel physically sick by what happened tonight; cruel not even unkind; words can hurt you; I'm not saying don't ask questions, the lack of civility is disturbing to me; I don't agree with all that happens or decisions that the Board make; disagree/pushback but we need to disagree in a better manner; thank the Town Board and Supervisor Hogan for being professional and gracious in all the ugly; we can do better than this.
 - b. Mr. Williams – thanks for the privilege of the floor; 1) sewer presentation, voted for the district, voted to approve it; applaud the Board for letting them have that choice; 2) – budget passed – re: health insurance for Mr. Conley's EMTs; contribution to HH – 2% of gross profits to executives in 2020; HH is a doctor's office in North Creek - \$25,000 this year? Our paramedics and EMT's providing life saving treatment will struggle to pay their health insurance, they'll go elsewhere to get benefits; moving forward in the future, give serious thought to providing EMT's what they deserve; 3) congratulations Pete; ice skating needs to be added; Mr. Olesheski – it's on my list; Mr. Williams – I'll help anyway I can.
 - c. Mr. Olesheski – I apologize for my behavior, I do get passionate about things.
9. Motion to Adjourn

RESOLUTION # 22 – 218

At 9:17PM Mr. Stevens made a Motion to adjourn the Town Board Meeting and moved its passage with a Second Motion from Mr. Gonyo. With the following Board Members present voting in favor the Resolution is carried. Ayes – 5 (Olesheski, Gonyo, Hogan, Arsenault, Stevens); Nays - 0.

Prepared by:


Jean M. Comstock
Town Clerk

THERE WILL BE A PUBLIC HEARING ON NOVEMBER 15, 2022 AT 7:00PM FOR LOCAL LAW #4-2022.
THE REGULAR TOWN BOARD MEETING WILL IMMEDIATELY FOLLOW – AT TANNERY POND AND VIA ZOOM