

**Town of Johnsburg**  
**Minutes of Town Board Meeting –May 24, 2022**  
**7:00PM – Tannery Pond & Zoom**

**PRESENT:** Peter Olesheski – Councilman  
Gene Arsenault – Councilman – via Zoom  
Andrea Hogan – Supervisor – via Zoom  
Justin Gonyo – Councilman  
Jean Comstock – Town Clerk

1. Meeting called to order at 7:04 PM; pledge led by Rodney Wolfe. Supervisor Hogan noted that we will not be discussing the PILOT tonight; it’s more complicated than we anticipated, and more work needs to be put into this; we will bring to the June 21, 2022 Board Meeting.

2. Approval of Minutes from April 5, 2022 and April 26, 2022 –

**RESOLUTION #22-79**

Mr. Arsenault presented the Resolution to approve the Minutes of the April 5, 2022, and April 26, 2022 Town Board Meetings 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 – 4 – Olesheski, Gonyo, Arsenault, Hogan); Nays – 0.

3. Correspondence – Ms. Comstock read the letter from Johnsburg Central School re: the PILOT. Ms. Comstock read the letter from Adirondack Association of Towns & Villages and Adirondack Park Local Review Board re: Bill S1145 – Conservation Subdivision Design Bill.

Mr. Olesheski read a Resolution in Appreciation for Philip D. Goodman who is retiring from the Zoning Board of Appeals; Mr. Arsenault added that we owe him a debt of gratitude for all his work in the Community and we all wish him luck.

4. New Business:

- a. Youth Program applications – Supervisor Hogan noted there is a slate of proposed hires, Board reviewed. Mr. Olesheski noted that the Youth Program would be operating without an Assistant Director. Ms. Dingman stated that with numbers down right now it should be fine. Ms. Dingman did note that they are still looking for an Arts and Crafts Director and that person could also be the Assistant Director if needed. Ms. Dingman indicated that the Youth Program could not have run all those years without Phil Goodman, he was amazing. Mr. Olesheski asked if it was budgeted for both Assistant Director and Arts & Crafts Director? Supervisor Hogan indicated yes. Let’s pump up the hiring for Arts & Crafts Director. Ms. Nessle indicated that they’re also looking for a Counselor at Minerva – it may have to be limited to 30 kids. Supervisor Hogan asked how the sign-up was going? Ms. Nessle indicated there were a few so far. Mr. Nessle noted that maybe going to the Sr. Citizens Meetings and asking if they would be interested. Supervisor Hogan will be sure to check on this. Mr. Olesheski asked if the Resolution included the alternates? It was agreed that it would.

**RESOLUTION #22-80**

Mr. Gonyo presented the Resolution to accept the hiring as noted 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 – 4 – Olesheski, Gonyo, Arsenault, Hogan); Nays – 0

- b. Approval of JMT Engineering Services to bid the Glen Creek Bridge project (including all permitting). Supervisor Hogan noted that this was previously approved back in 2020, COVID hit and the work wasn't completed; CHIPS money will be used for this project, this was a FEMA project back in 2013 - twice the Highway Superintendent at that time didn't do, concrete contractor pulled out, etc., we could potentially lose the \$6,000 FEMA funds, I'm still working on it. Mr. Olesheski asked if we need to get other bids? Supervisor Hogan noted that we do not, JMT is keeping their fees at the 2020 contract amounts (\$7,700 for engineering and \$3,500 for re-permitting fees). Mr. Gonyo also asked if the County could help with the advertising through Bidnet & County? Supervisor Hogan noted that the County is not currently offering this service.

**RESOLUTION #22-81**

Mr. Olesheski presented the Resolution to accept the contract with JMT Engineering for the work on the Glen Creek Bridge 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 – 4 – Olesheski, Gonyo, Arsenault, Hogan); Nays – 0

It was also noted that two (2) National Grid poles will need to be moved in order to complete this project and National Grid will be charging a fee of \$10,000 for. Mr. Olesheski asked if there was a draft contract for this, Supervisor Hogan and Superintendent Comstock indicated that it was just sent to them. Mr. Arsenault noted that this didn't sound fair at all. Mr. Nettle asked if it could be subcontracted out? Superintendent Comstock said he would ask that question. There is also an Easement that needs to be signed by property owner at 33-37 Glen Creek Road – there are no monies involved in this.

**RESOLUTION #22-82**

Mr. Arsenault presented to Resolution to approve the \$10,000 to move the utility poles for the Glen Creek Bridge project 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 - 4 – Olesheski, Gonyo, Arsenault, Hogan); Nays – 0.

- c. Mining discussion – Superintendent Comstock noted that there are at least 2 years left and that we will need to look for other options. Supervisor Hogan asked if this was part of the ¼ acre parcel? Superintendent Comstock stated that it is not. Supervisor Hogan noted that she's a little disappointed she was hoping to have it reclaimed by now. Ms. Nettle added that we can't close out the 2007 grant and may not be able to get any further monies. Mr. Gonyo stated that short of hauling it, we have to dig and look for another pit. Superintendent Comstock noted that Jim McGee has about two years left; Chestertown has their own pit; there is a pit behind North Warren EMS, but you'd have to haul it 17 miles one way; Holland Road is an option. Mr. Nettle questioned pricing of it all. Ms. Nettle stated that the Town is full of sand, we need to reach out. Mr. Gonyo noted that we need to get more numbers, facts; OGS pricing, can County help. Ms. Sabattis asked why we can't recycle what's picked up after winter? Superintendent Comstock noted that we can and do, but it's not the same quality of material. Mr. Nettle asked if there were any figures, measurements, etc. Superintendent Comstock stated he has records of what is used.

- d. Need to place an ad for MEO-L/Laborer for Highway Department; individual is moving out of Town. Mr. Olesheski asked what was the pay rate, Superintendent Comstock stated approximately \$19.00/hour.

**RESOLUTION #22-83**

Mr. Gonyo presented to Resolution to approve the placement of the ad for Highway Department MEO-L/Laborer 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 -4 – Olesheski, Gonyo, Arsenault, Hogan); Nays – 0

- e. Extension of Open Meetings Law – Mr. Schachner presented information regarding the new policies. Town is not obligated to do this, but would have to schedule a Public Hearing to move forward with a Local Law.

**RESOLUTION #22-84**

Mr. Arsenault presented the Resolution to move forward with a Public Hearing re: Local Law for Open Meetings 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 – 4 – Olesheski, Gonyo, Arsenault, Hogan); Nays – 0.

- f. Supervisor Hogan noted the information in the Board Packet re: clarification of Occ Tax Revenues with the spreadsheet. Asked if there were any questions or concerns?
- g. Occ Tax Applications – Supervisor Hogan noted that these applications were sent in - \$10,000 for NCBA for Shuttle which would help with Outreach transportation, summer, etc.; \$10,000 for Rev Rail for Electric Car Chargers; NYSEF \$30,000 for storage of race crew equipment. Ms. Bowers noted that this is their single, biggest expense and would be very appreciative of the help. NCBA – Mr. Gonyo noted that it benefits the people in Town. Supervisor Hogan wanted to note that if we agree to this amount this year it should not be counted on every year. Rev Rail – Supervisor Hogan noted that she was reluctant to do this request as there are car chargers at the County that aren't being used, this electric vehicle process is all still evolving. Mr. Olesheski asked if people would pay to use them and Rev Rail would get the profit? Could we support them but put in our control and we could collect the revenue? Supervisor Hogan noted that we can certainly look into this. Mr. Olesheski asked if the "water filtration" at Rev Rail could be looked at as well? NYSEF – Mr. Olesheski asked if this request would be better sent through the County, Supervisor Hogan stated yes.

**RESOLUTION #22-85**

Mr. Gonyo presented the Resolution to approve the \$10,000 for the NCBA for the shuttle 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 – 4 – Olesheski, Gonyo, Arsenault, Hogan); Nays – 0.

- h. Budget Transfers/Amendments – Supervisor Hogan asked if Board had a chance to review and if there were any questions or concerns? Mr. Olesheski noted the format change was very helpful, thank you to the Bookkeeper.

**RESOLUTION #22-86**

Mr. Gonyo presented the Resolution to approve the Budget Transfers/Amendments 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 – 4 – Olesheski, Gonyo, Arsenault, Hogan); Nays – 0.

- i. NYCLASS Municipal Cooperation Resolution – Supervisor Hogan noted that there are investment opportunities with NYCLASS. Mr. Arsenault said it's a great opportunity that we should take advantage of with bank rates being so low, he asked if we were moving money in that direction? Supervisor Hogan indicated that Ms. Tucker will get more information on it to the Board.

**RESOLUTION #22-87**

Mr. Arsenault presented the Resolution to accept this Municipal Cooperation Resolution with NYCLASS 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 – 4 – Olesheski, Gonyo, Arsenault, Hogan); Nays – 0

- j. Insurance for ZEO - Supervisor Hogan stated that Mr. Mangan is our ZEO and is doing a great job. He also work for Minerva 8 hours per week, 24 with Johnsburg – we're looking for approval of Mr. Mangan's proposal for Health Insurance with an Intermunicipal Agreement with Minerva to help cover his insurance. Mr. Gonyo would support this and thank you for being creative to retain an employee.

**RESOLUTION #22-88**

Mr. Arsenault presented the Resolution to accept/approve the Proposal for Health Insurance from Mr. Mangan 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 – 4 – Olesheski, Gonyo, Arsenault, Hogan); Nays – 0

- k. Abatement Proposal for the Red Barn – Supervisor Hogan is asking for approval to ratify engaging Intertek and authorization of payment for the asbestos assessment.

**RESOLUTION #22-89**

Mr. Gonyo presented the Resolution to ratify and authorize payment to Intertek for the asbestos assessment and moved its passage with a Second Motion by Mr. Arsenault. With the following Board Members present voting in favor, the Resolution is carried. (Ayes – 4 – Olesheski, Gonyo, Arsenault, Hogan); Nays – 0

- l. Glassblower Contract/Flood Mitigation @ the Kellogg Property – Supervisor Hogan noted that there is a language addition re: retail sales in the lease. Supervisor Hogan also noted that Mr. Wing has given a proposal to mitigate the flooding at the Kellogg Property. Mr. Gonyo asked if this should be put out to bid, are we following our procurement procedures? Supervisor Hogan noted it could be considered a professional service or an emergency. Ms. Nightingale added that she trusts Mr. Wing's proposal and expertise, but when she was at the property with Thomas the Train and saw where the water was coming from, she's not sure Mr. Wing's proposal is a viable solution. Mr. Tomb noted that the concrete pad slopes away from the building and that he worked with Rob looking at this situation and it's

damaging the building and is, quite honestly, unsafe, if it rains I can't open. Mr. Gonyo asked if we could consider this an emergency? Mr. Olesheski noted that it needs to move forward sooner rather than later. Mr. Tomb asked if the Highway Department could possibly help with delivery of materials? Mr. Tomb also indicated he could use some help coordinating his program for the kids (10 & up, with waiver to be signed for under 18). Mr. Olesheski asked if Ms. Patton could possibly assist with this? Ms. Nettle indicated she would bring it to the Committee.

**RESOLUTION #22-90**

Mr. Arsenault presented the Resolution to accept Mr. Wing's proposal for the flood mitigation at the Kellogg Property 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 – 4 – Olesheski, Gonyo, Arsenault, Hogan); Nays – 0

**RESOLUTION #22-91**

Mr. Gonyo presented the Resolution to approve the lease agreement with the added wording re: retail sales 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 – 4 – Olesheski, Gonyo, Arsenault, Hogan); Nays – 0

- m. Santore Fireworks Contract/Town Support – Supervisor Hogan noted the contract is for the same amount as last year (\$10,000), the Town pays \$5,000.

**RESOLUTION #22-92**

Mr. Gonyo presented the Resolution to approve and accept the Contract with Santore for the fireworks display 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 – 4 – Olesheski, Gonyo, Arsenault, Hogan); Nays – 0.

- n. Lifeguard Hiring/Beach Hours (**items n and o**) – Ms. Nettle indicated that we have one lifeguard for weekends and one for 4:00-6:00PM weekdays, in the past it was 12:00-6:00PM. Mr. Gonyo noted that he would like to see it at a minimum mirror last year; would like to see it open all week. Ms. Nettle stated that there is a shortage of lifeguards. Mr. Gonyo would like to set a goal to be open all week, Mr. Arsenault agreed. Supervisor Hogan indicated the beach was not normally open until after school was out, end of June. Mr. Olesheski added that in his full-time position with Moreau State Park that there is indeed a lifeguard shortage; there has been a lot of free training offered, but not a lot took advantage of it.

**RESOLUTION #22-93**

Mr. Gonyo presented the Resolution to opening the Beach 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 – 4 – Olesheski, Gonyo, Arsenault, Hogan); Nays – 0

- p. Cemetery discussion – Ms. Wood presented the Board with a printout of cemeteries. There is a lot of work to be done on them. There is a volunteer committee, but we could always use more. Wevertown needs a fence put back up on the North end of the cemetery. All cemeteries are abandoned and if the Town takes it over, it will have to be fenced in. I'm not asking for the Town to take it over, but could we somehow put up that one piece of fence? Mr. Olesheski asked what type of fence? Mr. Comstock noted there is fence at the landfill. Supervisor Hogan noted that we can get it done, but the laws are very specific, and we'll need to bring this back before the Board. Mr. Olesheski asked if he could be a part of this discussion as he is dealing with the same issues in the Town of Moreau. Ms. Wood also

noted that there are a lot of war-time graves that could be great for tourism in the area. Ms. Nettle asked why someone from the community couldn't put up the fence? Mr. Olesheski noted that if it's abandoned, we (the Town) is obligated to take care of it, but we don't own it. Mr. Nettle asked what constitutes abandonment? Supervisor Hogan indicated that after 15 years of no care it's considered abandoned.

- q. Mosher's Garage Purchase/Intermunicipal Agreement – Supervisor Hogan noted that this was discussed last year, the building is down now, and she is looking for approval to enter into the intermunicipal agreement with the County. Mr. Olesheski noted that folks in that area that he's spoken to are very excited about a community project there and it would be a better visual as you enter that part of Town. Mr. Gonyo asked if it's the County that's requesting we don't sell it for 5 years? Supervisor Hogan indicated that it is County/State agreement.

**RESOLUTION #22-94**

Mr. Olesheski presented the Resolution to accept the Resolution to purchase the property from Warren County 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 – 4 – Olesheski, Gonyo, Arsenault, Hogan); Nays – 0

- r. Supervisor Hogan wanted to apologize to Mr. Olesheski – he had brought the VOIP to the Board a few years ago and here we are again – you were ahead of your time. Ms. Morehouse did a lot of work on the comparison and there will be a savings. New VOIP lines will be for Town Hall and TPCC for now to see how it goes. Supervisor Hogan stated she's looking for approval to end our contract with Tamco and go with SLIC for this service.

**RESOLUTION #22-95**

Mr. Gonyo presented the Resolution to approve the SLIC transition for VOIP telephone service 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 – 4 – Olesheski, Gonyo, Arsenault, Hogan); Nays – 0

- s. ORDA/Ski Bowl – there is nothing new to report. ORDA sent a letter as did the Town no one has had a response. Letter from ORDA to pay for part of the process is in negotiations and Front Street has until Friday, May 27, 2022 to respond.

5. Old Business:

- a. Riverfront Park – Grant for improvements @ Riverfront Park through Local Waterfront Revitalization Project.

**RESOLUTION #22-96**

Mr. Arsenault presented the Resolution and moved its passage with a Second Motion from Mr. Gonyo to submit the Resolution for improvements to Riverfront Park to Warren County. With the following Board Members present voting in favor, the Resolution is carried. (Ayes – 4 – Olesheski, Gonyo, Arsenault, Hogan); Nays – 0

- b. Sewer Update – Mr. Gonyo noted that no update on funding at this point. Waiting for USDA funding – it's between the USDA and the Engineers.

6. Committee Reports – nothing at this time.

7. Historian Report – thank you Ms. Wood for all your hard work. Report is in packet.

8. Supervisor's Report – Supervisor Hogan asked if all had a chance to review the report and if there were any questions or concerns?

**RESOLUTION #22-97**

Mr. Olesheski presented the Resolution and moved its passage with a Second Motion by Mr. Arsenault to accept and approve the Supervisor's Report. With the following Board Members present voting in favor, the Resolution is carried. (Ayes – 4 – Olesheski, Gonyo, Arsenault, Hogan); Nays – 0

9. Warrants – Supervisor Hogan asked if Board Member had reviewed the Warrants and if there were any questions?

GENERAL FUND:	\$ 102,066.74
HIGHWAY:	\$ 52,852.91
LIBRARY:	\$ 558.72
WATER:	\$ 15,388.12
T/A	\$ 2,647.64
<b>TOTAL</b>	<b>\$ 173,514.13</b>

**RESOLUTION #22-98**

Mr. Gonyo presented the Resolution and moved its passage with a Second Motion by Mr. Olesheski to accept and approve the Warrants. With the following Board Members present voting in favor, the Resolution is carried (Ayes – 4 – Olesheski, Gonyo, Arsenault, Hogan); Nays – 0.

10. Privilege of the Floor

- a. Supervisor Hogan wanted to ask what the Board was feeling about Ms. Glover's request for \$40,000 for Child Care – I'm a little uncomfortable with monies going for the purchase of the home. Ms. Arnheiter asked if we could table until next meeting. Supervisor Hogan noted that any decisions would then be put off until the end of June. Ms. Arnheiter asked to have time to see Ms. Glover's Business Plan. Supervisor Hogan stated that the Town is interested in helping Ms. Glover, but we need more information. Mr. Gonyo will reach out to Ms. Glover.
- b. Supervisor Hogan indicated there is an EDC luncheon on June 17, 2022 from 11:30 – 1:30 at a cost of \$50.00 if anyone is interested. Mr. Olesheski stated he may be available. Supervisor Hogan asked for approval for one (1) ticket and we'll decide who wants to go after.

**RESOLUTION #22-99**

Mr. Gonyo present the Resolution and moved its passage with a Second Motion by Mr. Arsenault for the purchase of one (1) \$50.00 ticket for the EDC luncheon. With the following Board Members present voting in favor, the Resolution is carried. (Ayes – 4 – Olesheski, Gonyo, Arsenault, Hogan); Nays – 0

- c. Ms. Wood noted that Ken & Sharon Hammon could use help with Union Cemetery.
- d. Mr. Nettle asked if there was anyone from the Town overseeing the construction at the Ski Bowl and reporting back to the public for safety concerns, etc. a "clerk of the works" so to speak. Mr. Gonyo indicated he spoke with Supervisor Hogan and Mr. Hajos from the County to see what Project Management firms they use and how we could possibly use them and what the cost would be – ballpark figure is \$30,000 - \$40,000 per year. Supervisor Hogan asked if that would cover all of our projects? Mr. Nettle stated that Mr. Gonyo didn't

answer his question and it's ignorance on the part of the Town to not have this in place. Mr. Gonyo indicated that the money is not available. Mr. Olesheski stated that for a short answer the Town Board and Supervisor are responsible for this. Mr. Nettle indicated that we're so far behind it isn't funny. Ms. Arnheiter noted she has spoke with Mr. Bayse and he understands the sensitivity for this, but throwing stones right now is very inappropriate. Mr. Nettle stated the 2022 Budget should be amended and money taken out of HHHN and add to the Town budget line to pay for this. Ms. Nettle noted that Mr. Gonyo's idea is a good one. Mr. Gonyo noted that this idea could come together quickly if needed.

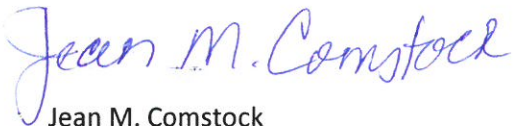
- e. Ms. Nettle wanted to thank all of those involved in the upkeep of the trails – Ed Orr and Dave Putman. The Siamese Pond Committee's work is a tremendous service for these trails and it needs to be kept up. Mr. Gonyo stated that he spoke with Mr. Bayse and it is open for discussion.
- f. Ms. Sabattis asked for clarification of S1145, Mr. Gonyo provided her with the paperwork that was part of the Board Packet.

11. Motion to Adjourn at 9:50 PM motion to adjourn the Regular Town Board Meeting.

**RESOLUTION #22-100**

Mr. Gonyo presented the Resolution and moved its passage with a Second Motion from Mr. Olesheski to adjourn the Regular Town Board Meeting at 9:50PM. With the following Board Members present voting in favor, the Resolution is carried. (Ayes – 4 – Olesheski, Gonyo, Arsenault, Hogan); Nays – 0

Prepared by:



Jean M. Comstock  
Town Clerk

***The Next Regular Town Board Meeting will be held  
Tuesday, June 21, 2022 at 7:00PM  
At TPCC & Via Zoom***