

Town Board Meeting March 7, 2023

In Attendance: Mark Smith - Supervisor Justin Gonyo - Councilman
Arnold Stevens - Councilman Pete Hoskins - Councilman
Gene Arsenault - Councilman Jean Comstock - Town Clerk

1. Pledge of Allegiance – led by Kelly Nettle
2. Call to Order the Regular Meeting of the Town Board at 7:00PM. Supervisor Smith just a few things to comment on – thanks to the Highway Department for a great job with the work done over the weekend with the snow storm. An individual that came in and berated and hollered at a Town Employee; this will not be accepted. This happened in front of the State Auditor and if it's in her report actions will need to be taken. Some confusion re: the Agenda – items are discussion only; if they were open for comment it would be a Public Hearing. \$300,000 still intact and truck is paid for.

3. Approve Minutes of February 21, 2023 Town Board Meeting

RESOLUTION # 23 – 64

Mr. Hoskins made a Motion to accept and approve the Meeting Minutes from the February 21, 2023 Town Board Meeting 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 (Smith, Gonyo, Stevens, Arsenault, Hoskins); Nays – 0.

4. New/Old Business

- a. Approval of Amended Agreement by and between Town of Johnsbury and Johnsbury Emergency Squad – Supervisor Smith – spoke with Joe Connelly and just a couple of changes made; Mr. Gonyo asked if the money/line issue was resolved from the last meeting? Supervisor Smith – good question, yes it's all been taken care of to close out 2022 and open 2023. I'm hoping to have a report soon as I'm reviewing line items and hoping we don't have to have this situation again.

RESOLUTION # 23 – 65

Mr. Gonyo made a Motion to approve the Amended Agreement between the Town of Johnsbury and Johnsbury Emergency Squad and moved its passage with a Second Motion from Mr. Hoskins. . With the following Board Members present voting in favor the Resolution is carried. Ayes – 5 (Smith, Gonyo, Stevens, Arsenault, Hoskins); Nays – 0.

- b. Resolution to consent to Federal Interest in property subject to the North Creek Ski Bowl Disaster Resiliency Project – with money from EDA, Federal Government wants us to have on record that for 20 years we're not going to sell the property and use it as it is being intended. Mr. Hoskins – it's a very standard agreement.

RESOLUTION # 23-66

Mr. Stevens made a Motion to approve the Resolution for Federal Interest Notice 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 (Smith, Gonyo, Stevens, Arsenault, Hoskins); Nays – 0.

- c. Approval for Town Clerk to attend NYS Town Clerk's Conference – Supervisor Smith – professional development is an important part of all of our jobs. The Town Clerk is looking for approval to attend this year's New York State Town Clerk's Association Conference.

RESOLUTION # 23 – 67

Mr. Gonyo made a Motion to approve the Town Clerk's attendance at the NYSTCA Annual Conference 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 (Smith, Gonyo, Stevens, Arsenault, Hoskins); Nays – 0.

- d. Discussion – Noise Abatement – Supervisor Smith my initial feeling is that I've never been in a place that didn't have a noise ordinance; however we're in a more country setting; Mr. Hoskins – what concerns? Supervisor Smith – loud noises in North Creek late into the night ... Is this something we want to consider? It doesn't happen a lot. Mr. Gonyo – don't want this to be used for the Government to use to control differences between home owners; not a sweeping ordinance, we enact it, then what? An officer could act on it; Supervisor Smith – a good point; we should still make ordinances to enforce; do we want to have a committee to look into this? Mr. Hoskins- if it's coming to your attention, where is it a problem and understanding the nature of it a little better. Mr. Stevens – do we have any examples from other towns/villages in the area? Supervisor Smith – I believe the short term rental has some information; Mr. Arsenault – does our Zoning Officer have any information on it? Supervisor Smith – I did talk to Colin, nothing out there, Zoning Board would divvy up the enforcement, noise does travel; the practicality of this might be a challenge; Mr. Gonyo – we might want to speak with Sheriff as they will be the enforcement component on this; Mr. Hoskins – surveying other towns may be a good idea; Supervisor Smith - we're not making a decision today, if it's something to look into and possibly have a Public Hearing, I don't want to leave the public out of the decision. Let's gather some more information, have a workshop, feedback and brainstorm.
- e. Discussion – permits for short-term rental; Supervisor – it's been an on-going thing; it's all about public safety; if we want to pursue this, in my opinion, optically for the Town it's important; not saying just because others have it we should as well, but it's a public safety issue; the other important thing to remember is absent landlords pay 60% on taxes; Mr. Arsenault – what's the committee looking at to bring forward? Supervisor Smith – Laurie and Chris – they're looking into the County permitting/registration and other counties; it's a step by step process; we'll have them do a 15 minute presentation and then they'll have a workshop; we all want to be good neighbors; safety is foremost; Mr. Gonyo – a workshop is in order for sure; we need to hear from the folks that have Air BnB's as well; Mr. Heidrich – most members have short term rentals; it's primarily public safety for our community; Supervisor Smith – we'll post the workshop on the Town Website for information; Mr. Hoskins – we need to distinguish between tenants and public safety; Mr. Gonyo – we can pass a local law but it's not going to change free will; Mr. Arsenault – another part of this for consideration – we have about 250 locals in our town and whether we want a community conversation re: available housing, low income housing, etc.; Supervisor Smith – we can certainly look into this, lock down the numbers and a better assessment, you make a good point that we don't have enough housing for our locals; Mr. Gonyo – we really need to hear what the committee is proposing, get some parameters for discussion points, this will be a good start. Supervisor Smith – 15 minutes at the next Board Meeting prior to their workshop; just give an update on what they're finding; Supervisor Smith – a visual presentation might be better for some;
- f. Discussion – Committee Reports – nothing from Highway; sewer – Mr. Gonyo - a couple of meetings ago we awarded the engineering bid to Cedarwood, at 15% design; main focus right now is to determine a time line and what ORDA is going to need from the Sewer District to finalize their plan to get moving; ORDA/DEC meeting Monday at 10:00AM; general sewer committee meetings will be held more regularly; I'd like permission to use the Town's Zoom account as it is it limits us to ½ hour per meeting. Mr. Stevens – solid waste – we've had a proposal that has been brought to our attention by Judy Brown & Pete Horvath – possibility of 10x24 re-use building at the transfer station; Pete Horvath/Judy Brown – we've been working on this for a while now – would like to see 0% for

Warren County and help the community; a re-use facility – folks would bring re-usable items, it's worked very good in other towns; Judy – we've visited other Towns; cost of the shed was \$3,120 (8x24); we'd like to get something like that; we will have to hire someone to have it delivered; Peter – someone with a flatbed that would do it for free; Judy - \$5,000 or less, plan on raising funds through grants and personal donations; they would need 50% down; there is a spot at the dump right now for this; I have someone to donate gravel – would run it with volunteers; open two hours every day the dump is open; cannot drop off anything unless there's an attendant; asking for the Town to allow us to put left overs to the dump for free; Mr. Hoskins– any limits on what can be dropped off? Judy – no big furniture; Mr. Hoskins – appliances? Judy – yes; Peter Horvath – no clothes, the Outreach does a great job with this already; would like games and toys; Tina Mulvey – it's a great idea; Peter Horvath – we don't want to interfere with Ray; Mr. Gonyo – this is the first official presentation, we need to meet with Ray and Matt on who it will affect; needs to be a solid plan and we'll move forward; Peter Horvath – we'd love all of your input; Paul Heid – I think it's a great idea as well; Judy – we'll need volunteers.

- g. Supervisor Smith – trying to be more transparent with the committees; going through each committee at each Board meeting, maybe a written report on the Town website; just looking for ideas; Mr. Gonyo – if we are more concise with our reports for each committee it would work; Mr. Hoskins – it's equally important to report that there's nothing going on. Mr. Stevens – Fire/EMS – did have an opportunity to speak to Bruce Dunkley about folks that signed up, present time – not sure how many are signed up, it's more of a long term thing; the State will have to do some work on their end; Bruce Dunkley 10% on your assessment, not taxes; as the school signs on and the county signs on the benefit could become larger and increase over time; Mr. Gonyo – also coming from Bruce Dunkley – Bakers Mills Volunteer Fire Company is offering to reimburse the Town for up to \$2,000 for attorney fees incurred with the local law being put into place; we were only one of maybe two communities to get this done; what a generous offer from one of our local fire departments. Supervisor Smith - we'll go through each committee line by line; I'll also try to keep a status on the Town website.
 - h. Library Director report in packet.
 - i. Historian – report is in the packet – Ms. Wood - cemetery volunteers are needed, please let me know; want a focus group for each cemetery; the report is self-explanatory; Mr. Hoskins – you've been very helpful to myself and another for mapping out the North River Cemetery; would like a committee for the larger cemeteries and others as well; Ms. Wood - North River has an association as well.
5. Audit Summary – Supervisor Smith – risk assessment and in-depth audit; risk assessment (oral feedback) – auditor wanted to thank the staff in Town Hall for their help; thank you to the staff; nothing completely out of the ordinary for a town our size; there's always a learning curve with 2-year terms; no big red flags, some improvements can always be made; in-depth audit – they did the water district – we need to totally reorganize this completely; too many inconsistencies; we just need to start over, billing, SOP's, properly documented, properly billed – this will take about a month to get done; will need some approval processes; there are changes coming, some will be happy, some will not; as we move forward I'll let you all know what's happening;
6. Warrants – Mark – I do not approve my own vouchers, the Deputy approves my vouchers; all good with that; any questions or concerns? Mr. Gonyo – what are the church bells through Occ Tax? Supervisor Smith – it was approved at another meeting through Occ Tax money.

RESOLUTION # 23 – 68

Mr. Stevens made a Motion to accept/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 (Smith, Gonyo, Stevens, Arsenault, Hoskins); Nays – 0.

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| GENERAL FUND: | \$ 132,032.53 |
| HIGHWAY FUND: | \$ 23,428.63 |
| LIBRARY FUND: | \$ 338.80 |
| WATER DISTRICT: | \$ 6,045.53 |
| TRUST & AGENCY: | \$ 519.20 |
| TOTAL | \$ 162,365.69 |

7. Supervisor Smith - last minute Resolution – need to pay for an application fee for ESA for the water district – need to approve this for application to be accepted and approved; \$250.00 application fee. question asked about reimbursement. Mr. Gonyo – we need to get funds reimbursed, need some language from the attorney; Supervisor – will get on this. Mr. Gonyo - we need to spend the money to get it back.

RESOLUTION # 63-69

Mr. Arsenault made a Motion to approve the \$250 application fee and moved its passage with a Second Motion from Mr. Hoskins. With the following Board Members present voting in favor the Resolution is carried. Ayes – 5 (Smith, Gonyo, Stevens, Arsenault, Hoskins); Nays – 0.

8. Privilege of the Floor – Supervisor Smith - 3 minute limit, please.
- Ms. Sponable – off road parking ordinance – there are some violations already occurring; it’s already in place it needs to be enforced; cemeteries – St. James Cemetery – we pay for the mowing; Ms. Wood – the Church owns this property that’s why; Ms. Sponable - why are no others charging, I don’t understand it; Mr. Hoskins – you’re dealing with a couple of centuries of burials; it’s possible to set something up; Ms. Wood – you make a good point; other cemeteries are abandoned, no one actually owns them; State law – I’m reviewing it again; Town mows abandoned cemeteries 3 times a year; we do what we can with volunteers; Ms. Sponable – what about new burials? Ms. Wood – the cemeteries are abandoned, if families have plots in these cemeteries other family members can be buried there. Supervisor Smith – I’ve looked into this, if we take on as a Town, there are a lot of regulations and expenses.
 - Ms. Nettle – there are a lot of things in Town that need enforcement – what needs to be enforced and who needs to do the enforcing?
 - Ms. Konis – zoning permit, I got one for a shed and now need one for a house, others don’t need the paperwork I’m being asked for; Air BnB – the Town is putting their signature/blessing on it; Mr. Gonyo – it’s a committee that’s giving a presentation; Ms. Konis - witnessed a local throwing snow at a County employee, nothing was done; what about supporting Barton Mines – the Board has not made a decision; are you in support or not? Noise ordinance – fireworks almost every night, snowmobiles up and down the Main Street – we do need a noise ordinance.
 - Mr. Ashline – I did request that the Town write a letter in support of Barton Mines; the Board hasn’t discussed this; Supervisor Smith - my personal opinion – our letter will have little to no impact on this; I’m not opposing this, but it’s Barton Mines property, the APA is waiting on Barton Mines; Mr. Ashline – could the Town write a letter in support, we can’t afford to lose it as an employer/tax payer; explaining how important it is to the Town;
 - Mr. Heidrich – my conversation with Chuck Barton, \$400,000 in taxes, employees are in fire departments, they have a very important impact on our area; we need to support them 100%.
 - Mr. Heid – other areas also have employees at Barton Mines as well and all are in support.
 - Mr. Hoskins – we need to listen to all that it affects; there’s more than one side to this situation; Supervisor Smith – we’re here to do what the Town wants; the Board will discuss and come back and make a decision; is that going to be OK? The APA is waiting on Barton Mines at this time; Mr. Heidrich – they’re responding to the community concerns in their area. Mr. Gonyo – I would think at this point the Board needs to address it, it’s never been a Board discussion and it needs to take place, it’s a key topic in our community, we do need to take a stance as a Board.

- Ms. Sabattis – retired people still benefit from Barton Mines; I live in North River – the area needs the money, it’s our livelihood. Mr. Hoskins – it’s not going away. Supervisor Smith – I personally support it; the APA is going to make a decision; Mr. Ashline – the association up there has lawyers and letters going out left and right; so the community needs to support them; it’s a well-regulated industry.
- Mr. Williams – I sent a package to the APA with my letter; Barton Mines ran power up there, without them being there, no homes could be up there; I sent them a package of my coffee along with my letter; they sent it back to me, they couldn’t accept it; not asking much to send a letter; it’s integral to North Creek, it wouldn’t exist without Barton Mines; Supervisor Smith – we’ll discuss it and come back.
- Mr. Dunkley – it’s not whether they get the approval, but the restrictions that come with it; it may not become profitable with all the restrictions; approval needs to come from APA/DEC without restrictions; there are enough restrictions from OSHA, MSHA, they need to run the trucks to make a profit; the association is setting the restrictions.
- Mr. Fallon – \$3,000,000 - \$5,000,000 in paid fire fighters, we lose Barton Mines, we lose a lot of volunteers.
- Mr. Holt – equalization rate will be 86%, what happened to the reval, how did we lose 14% in one year; no report from the assessor, did values go up, what lessons did we learn; what’s the plan moving forward? Why did we pay a data collector? It’s part of the assessor’s job; Mr. Gonyo – I owe an apology from the last board meeting, we needed to engage with our assessor, my fault that I haven’t reached her yet; we do have a problem, I need to be told exactly what that means and guidance; with the information from the State, do we take action on that now or wait for our 3 year cycle? Some other towns are doing something different – Warrensburg is doing a re-val, some are some aren’t; Mr. Holt – we don’t know if the re-val was good, no statistical information; Mr. Ashline – are all towns up or just Johnsburg? Mr. Gonyo – we need guidance; Mr. Sponable – who are you asking guidance from? Mr. Gonyo – from our Assessor; we’re not the only ones that have dropped; I’ll get with our Assessor.

9. Motion to Adjourn at 8:35PM

RESOLUTION # 63 – 70

Mr. Hoskins made a Motion to adjourn the Town Board Meeting at 8:35PM 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 (Smith, Gonyo, Stevens, Arsenault, Hoskins); Nays – 0.

Prepared by:

Jean M. Comstock

Jean M. Comstock
Town Clerk

**THE NEXT TOWN BOARD MEETING - TUESDAY, MARCH 21, 2023 AT 7:00PM
AT TANNERY POND AND VIA ZOOM**