

**Town of Johnsburg
Town Board Meeting
April 18, 2023**

In Attendance: Mark Smith – Supervisor Justin Gonyo – Councilman
 Pete Hoskins – Councilman Gene Arsenault – Councilman (via Zoom)
 Arnold Stevens – Councilman
 Jean Comstock – Town Clerk (via Zoom)

1. Pledge of Allegiance
2. Meeting called to Order at 7:00PM
3. Approve the Minutes of the April 4, 2023 Town Board Meeting.

RESOLUTION # 23-92

Mr. Gonyo made a Motion to approve the Minutes of the April 4, 2023 Town Board Meeting Minutes and moved its passage with a Second Motion by Mr. Hoskins. With the following Board Members present voting in favor, the Resolution is carried. Ayes – 5 (Smith, Gonyo, Hoskins, Arsenault, Stevens); Nays – 0.

4. Resolution to authorize Supervisor Smith to act on behalf of the Town of Johnsburg for the North Creek Sewer Project.

RESOLUTION # 23 -93

Mr. Gonyo made a Motion to approve/authorize Supervisor Smith to act on behalf of the Town of Johnsburg for the Sewer Project 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 – 4 (Gonyo, Hoskins, Stevens, Arsenault); Nays – 0.

5. Resolution Amendment for LCLGRP MOA – Supervisor Smith – there was an over charge and we have a credit; it was \$2,500 for sixteen (16) quarters and now will be \$1,875 for sixteen (16) quarters.

RESOLUTION # 23 – 94

Mr. Hoskins made a Motion to approve the Amendment from \$2,500 to \$1,875 for project management services regarding the ESD grant 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 (Smith, Gonyo, Hoskins, Arsenault, Stevens); Nays – 0.

6. Budget Amendments – Supervisor Smith – in order to prevent “0” balances, the way the revenue flows in. **RESOLUTION # 23 – 95**

Mr. Gonyo made a Motion to approve the Budget Amendments 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 (Smith, Gonyo, Hoskins, Arsenault, Stevens); Nays – 0.

Supervisor Smith – the Bookkeeper found that there was an invoice from Cedearwood that was never sent to WIIA for reimbursement. \$77,000 in water fund; by October all deficiencies noted by Audit should be. Resolution to pay back the General Fund from the Water Fund – I need a motion.

RESOLUTION # 23 – 96

Mr. Stevens made a Motion to approve the repayment of the loan to the Water Fund from the General Fund 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 (Smith, Gonyo, Hoskins, Arsenault, Stevens); Nays – 0.

7. Occupancy Tax Distribution – Allocation would equal \$25,545 (list of allocations in packet) leaving \$42,534. Mr. Gonyo asked if some of this money could be used for vegetation spray along the tracks to clean up that area for River Front Park, ? Mr. Hoskins – may be getting a grant for the Friends of the Park. Supervisor Smith – labyrinth in Bakers Mills – zoning taken care of and I'd like to see some monies for that. Mr. Hoskins asked if some could be used for the recreating some events for the 4th of July and Friends of the Park? Supervisor Smith stated that it could be kept open for more applications. Mr. Gonyo I'll get some numbers to

RESOLUTION # 23 - 97

Mr. Gonyo made a Motion to approve the Occ Tax allocations 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, Hoskins, Arsenault, Stevens); Nays – 0.

8. Zoning Discussion – general discussion; ZEO is in 24 hours a week, with the Town growing and more concerns, may need someone more than 24 hours. The Board does not have a lot of authority; push this to the respective committees, they know the laws. Mr. Hoskins – I agree. The Comprehensive Plan is being updated as well and zoning will be part of that. Supervisor Smith – when you get to that point, please pull the appropriate people in. Zoning is starting to escalate – Zoning/Planning – review codes, make changes, make recommendations. Give the Board a presentation, I'll get a letter to each committee and we'll go from there. Mr. Hoskins, makes good sense. Mr. Arsenault – will Colin be a part of this? Supervisor Smith – I think he should be. Mr. Arsenault – he's seeing the problems, barriers and he'll need to help with the ordinances. Supervisor Smith- the goal here is progress, let's find something that's working.
9. Main Street – Supervisor Smith - owner is trying to comply as best he can; huge jurisdictional problem with the sidewalk/road belonging to the County. I spoke with the County – what can we do to work together; the owner was going to get an excavator in; I believe he's doing the best he can. The County will not evict anyone as long as the owner is working on the problem.
10. Committee Reports – pre-bid conference for Ski Bowl at Town Hall, 2 contractors; bid opening 5/9 at Town Hall; would like to review and approve at next Board Meeting so they can get started on it. Mr. Hoskins – great job with reorganization, would like to hand it to Peter and Matt, it's working out really well; I have a copy of his report available; just pleased with the way the team has come together; a lot of planning for summer; money for laborer and program person for summer. Supervisor Smith – Highway Relocation is on the back burner; Mr. Gonyo – why don't we just remove it from the Committee Reports, we're so far away from doing anything about this if we ever do. Mr. Gonyo – Cedarwood has spec'd out 7 different systems for collection they're moving forward with recommending the Orenco system. Mr. Hoskins – met with Fred a while back regarding the sidewalk schedule and get them done.

RESOLUTION #23 -98

Mr. Hoskins made a Resolution to remove the standing committee of the Highway Relocation 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, Hoskins, Arsenault, Stevens); Nays – 0.

11. Supervisor’s Report – Supervisor Smith - tracking where we should be.
12. Warrants – Gore Electric – replacement of light post that County Highway knocked over; insurance increase for sidewalk cleaner; Chemung – culverts. Mr. Gonyo – VI Enterprises delivers, not sure if we go to pick up or if they are delivered; I’d be happy to have a conversation with Fred; need to work with Fred re: Fleet plan; I’m not suggesting we step in to run his program by any means. Mr. Hoskins – we need a fleet plan from Buildings & Parks and Highway.

RESOLUTION # 23 – 99

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

WARRANTS

GENERAL FUND	\$ 18,671.53
HIGHWAY FUND	\$ 28,689.11
LIBRARY FUND	\$ 1,437.27
FIRE PROTECTION	\$ 54,060.00
EMS	\$ 153,765.75
WATER DISTRICT	\$ 1,801.11
TRUST & AGENCY	<u>\$ 214.24</u>
TOTALS	\$ 258,639.01

13. Privilege of the Floor
 - Mr. Heid – Durkin Road is a serious hazard, especially for motorcycles; the Town has been made aware of it; Mr. Hoskins – Fred has a handle on this and it is a priority.
 - Ms. Wood – who are the “stakeholders” with the Comprehensive Plan? Mr. Hoskins – any organized efforts, churches, business, non-profits, any individual it’s open. Grand Opening 7/1/23 – Historical Society.
 - Ms. Brown – reuse shed update – waiting for an answer from the Town Board – do you approve? We’re raising money; Outreach will help, but wants approval from the Town; we are not asking the Town for any money. Mr. Hoskins – Mr. Olesheski was supposed to get together with your regarding this, I’ll follow up with him. Mr. Ashline asked about using Occ Tax money for this. Supervisor Smith noted that this is not a valid use of Occ Tax money.
 - Ms. Konis – I can assure you, since I haven’t seen anyone else there that it’s obviously no concern to you. Mr. Gonyo was the only one interested in what was happening at 255 Main Street.
 - Ms. Konis – why are we re-paying a water loan?
 - Ms. Konis – Comprehensive Plan committee; who put the committees out there, you can’t hand pick who you want on them; put it out there to see if others would be interested. Has anyone seen this advertised?
 - Ms. Nettle – good news, upper trail is to be started; \$20,000 has been raised; keep reminding the Board and community that there are 5 or so people that maintain the trails;
 - Mr. Williams – there are two lawsuits against the Town right now – Peaceful Valley, Article 78 and Roger Mosher and both are at the Supreme Court; is this Town money being spent on these lawsuits, is there any monies put aside should these not turn out favorable? Are there any others out there? And can we get an accounting of them; Supervisor Smith – please stop by my office.

- Mr. Nettle – there is a solution to the problem at 255 Main Street; the lots are way too small; the drainage goes directly into the Hudson River; no adequate drainage system; surprised that the County hasn't come up with a solution; declare a health emergency, all of those people are in danger; have the tanks pumped out every week; kicking it under the table isn't going to work; 24 hours to get a declaration for a health emergency; those folks deserve a healthy place to live and raise their kids.
- Ms. Bean – it is a public safety issue at 255 Main Street and it's been going on for a long time; as a team it should not have been let go this long; can we get a list of committees so others can see who is on it and how they can get on them; Supervisor Smith – I can put that on line for you. Zoning in Town – issue after issue – it seems a little disconnected; is there any organizational chart; who works with/for who; Supervisor Smith – ZEO/ZBA/Planning – I can get a chart for you; and we've addressed the Zoning/Planning issues earlier.
- Mr. Holt – I believe there are responsibility misunderstandings; previous Supervisor had a Committee, does anyone know who is on that Zoning Committee? Standing Committees always had two Board Members; previous Supervisor started forming committees and appointing people as she wanted; you appointed Kelly Nettle to the BOAR and no one knew there was an opening; can we get Town employees to come to the meetings to keep us informed? When are we going to sell the properties that we had appraised? Mr. Gonyo – that's a good question, we had them appraised, we got values back and nothing was ever done from that point, we should revisit; we made that commitment to budget cycles ago and put back on to the tax roll. My FOIL request re: equalization rate was a three page report; we're at 86%, did the assessor take any action? Are we still looking at doing something with an outside firm or waiting for the next assessment; Supervisor Smith – OSC – no re-val necessary right now, 86% is not uncommon in the State; we could do another one right now, wait 5 years; we are looking at a third party for next time; Holt – do we have anything on paper? Mr. Gonyo – whatever we have on paper now would need to be redone whenever we decide to do the re-val; one thing to take into consideration is our budget – we have nothing budgeted right now; stay on the cycle that would give us time to work this into the budget; Holt – what is a regular cycle? Mr. Gonyo – 3 years; 3, 5 or 10, if we start the process this year we don't have the funds; whatever cycle we follow will need to be budgeted. When do we expect to see the Assessor in the office – how many hours does she put in? Supervisor Smith – 24 hours; you bring up a lot of good points, please stop in the office. Holt – we've been asking for a report for over a year now, no analysis.
- Mr. Ashline – committees – changing zoning is a big thing; letter of intent needed, ad in the paper just like any other job; any committees from this day forward, needs to be made public; Mr. Gonyo – don't feel slighted, it won't happen tonight, we can certainly take a look at standing committees and other committees; Supervisor Smith – I'm hearing what you're saying, a lot of good points and I understand the problems and concerns.
- Ms. Bower – there is an Occ Tax form on the website, take advantage of it; Supervisor Smith – we'll get something on the website regarding requirements and criteria.
- Ms. Wood – if people need help getting to the Assessor, if they have a problem they meet with the Assessor at any time during the year; there was an element of defensiveness on the Town's said and we need to get rid of that; both sides need to work things out; Zoning/Planning – they should both work together; what are their roles; if you own your property you should have the right to put a camper on it, you pay the taxes;
- Mr. Gonyo – 255 Main Street, I did drive down there; I was upset that evening while speaking with Ms. Hogan with what little power the Town had over this issue; I spoke with State, County and local people; I understand your concerns, it's just not that simple; we're working with the Owner; as frustrating as it is to still have this situation, working with the owner is our best option right now; I'm hopeful we can rectify it; Supervisor Smith spoke with the County and others that I spoke with; we will continue to monitor and keep pressure on it.

- Ms. Konis – the problem is we’ve been lied to, that’s the problem.
- Mr. Konis – same issue this time last year, it really is a big issue; who is the engineer who designed the system?
- Mr. Ashline – clarification re: sewer line – if it was put in today would it solve the problem? Mr. Gonyo – it does not go up Wade Street; Mr. Ashline - it doesn’t encompass 40% of the Town streets, that has to say something about our former administration and the motive; my toilet didn’t flush, I had to pay to have it fixed, I wasn’t going to wait two years for it to pile up.
- Mr. Gonyo – privilege of the floor is at the podium not out of the seats, we will have some decorum at these meetings.
- Mr. Hoskins – all good questions, we will work on things.

14. Motion to Adjourn – Supervisor Smith – any further Town Board business? Can I get a motion to adjourn?

RESOLUTION # 23 – 91

Mr. Hoskins made a Motion to adjourn the Town Board Meeting at 8:28PM 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 (Hoskins, Gonyo, Arsenault, Smith); Nays - 0

Prepared by:

Jean M. Comstock

Jean M. Comstock
Town Clerk

**THE NEXT TOWN BOARD MEETING WILL BE HELD
MAY 16, 2023 AT 7:00PM AT
TANNERY POND AND VIA ZOOM**