

**Town of Johnsburg  
Regular Meeting of the Town Board  
Zoom Meeting  
July 21, 2020 7:00 PM**

<https://us02web.zoom.us/j/2172603617>

Meeting ID: 217 260 3617

888 788 0099 US Toll-free

877 853 5247 US Toll-free

Supervisor Hogan called the meeting to order at 7:06 pm and the pledge to the flag was led by Laurie Arnheiter.

**PRESENT:** Andrea Hogan – Supervisor  
Eugene Arsenault – Councilman  
Arnold Stevens – Councilman  
Laurie Arnheiter – Councilwoman  
Justin Gonyo – Councilman  
Kate Lorah - Town Clerk

**Approval of minutes June 16, 2020 and June 23, 2020**

***RESOLUTION #112-20***

Ms. Arnheiter presented the following resolution and moved its passage with a second from Mr. Arsenault to approve the minutes from the June 16 and June 23, 2020 meetings. (The June 16 notice of next meeting date was corrected to July 21). With 5 members voting in favor the resolution is declared carried. Ayes – 5 (Hogan, Arsenault, Stevens, Arnheiter, Gonyo) Nays – 0

**Correspondence:**

None

**Old Business:**

- **Sprung Structure for the Ski Bowl**, Other proposals for Ski Bowl

Bone Bayse presented a photo and a drawing of potential facades for the Sprung structure. A lengthy discussion took place about the cost of the project, the possibility for it to be ready for the 2020-2021 ski season, life expectancy of the building, placement of the structure, the potential for a replacement lodge in the future, and more. Both Mr. Arsenault and Ms. Hogan asked for assurances regarding increased operational time for the Ski Bowl and a plan for a replacement lodge. Mr. Bayse was unable to make such assurances. Ms. Arnheiter proposed meetings with interested parties to discuss and create a plan to move forward which would be advantageous to the Town and to ORDA (Gore).

- **Red Barn Removal estimates**

Two bids were submitted for the demolition and disposal of the Red Barn. The Board noted concerns about the source of the funding for the project.

***RESOLUTION #113-20***

Mr. Stevens presented the following resolution and moved its passage with a second from Mr. Gonyo to reject both bids for the demolition and disposal of the Red Barn and to revisit all proposed projects to prioritize due to budgetary concerns. With 5 members voting in favor the resolution is declared carried. Ayes – 5 (Hogan, Arsenault, Stevens, Arnheiter, Gonyo) Nays – 0

- **WIIA grant - approve expenditure for future work**

The next step in the progress of the WIIA grant is the boundary and topographic survey for the South water tank. Working with Cedarwood, there is an estimate from Darrah Land Surveying for \$12,600.

### ***RESOLUTION #114-20***

Mr. Stevens presented the following resolution and moved its passage with a second from Mr. Arsenault to enter into a contract with Darrah Land Surveying, for \$12,600, to complete the boundary and topographic survey for the South water tank. With 5 members voting in favor the resolution is declared carried.

Ayes – 5 (Hogan, Arsenault, Stevens, Arnheiter, Gonyo) Nays – 0

- **Building use agreement**

### ***RESOLUTION #115-20***

Mr. Stevens presented the following resolution and moved its passage with a second from Mr. Gonyo to update the Town building use agreement to follow CDC guidelines by adding the following:

17. COVID-19 REQUIREMENTS: You are required to:
  - a. Clean and sanitize all facility areas immediately prior to and after your use of all Town facilities.
  - b. Obtain the attached Assumption of the Risk and Waiver of Liability Relating to Coronavirus/COVID-19 forms from all attendees.
  - c. Obtain and keep a running list of all attendees and users of Town facilities relative to your use, including all members of the public and other attendees, including at a minimum name and phone number.
  - d. You are required to obey social distancing, mask usage, and all other CDC or New York State imposed guidelines and best practices. Based on the use, the Town reserves the right to require the preparation and submission of a business safety template or other acceptable plan for containment of Coronavirus. Examples can be found at “Forward NY” based on the use that most closely resembles your proposed use. This must be submitted to the Town Supervisor at least one (1) week in advance of your use.

#### **Assumption of the Risk and Waiver of Liability Relating to Coronavirus/COVID-19**

The novel coronavirus, COVID-19, has been declared a worldwide pandemic by the World Health Organization and Centers for Disease Control. COVID-19 is extremely contagious and is believed to spread mainly from person-to-person contact. The State of New York by Governor Andrew M. Cuomo has imposed limitations on gatherings, and instructions for social distancing. As these limitations are relaxed, the threat of COVID-19 is not diminished. The Town of Johnsbury (“the Town”) has put in place preventative measures to reduce the spread of COVID-19. However, the Town cannot guarantee that anyone visiting or using any Town facilities will not become infected with COVID-19, or any other virus. Attending social gatherings can increase your risk of contracting COVID-19. By signing this agreement, I acknowledge the contagious nature of COVID-19 and voluntarily assume the risk that I and/or my minor child(ren), may be exposed to or infected by COVID-19 by attending or using any Town facilities, and further that such exposure or infection may result in personal injury, illness, permanent disability, and death. I understand that the risk of becoming exposed to or infected by COVID-19 may result from the actions, omissions, or negligence of myself and others, including, but not limited to, Town employees, volunteers, and program participants and their families, and any other users of Town facilities. I voluntarily agree to assume all of the foregoing risks and accept sole responsibility for any injury to my child(ren) or myself (including, but not limited to, personal injury, disability, and death), illness, damage, loss, claim, liability, or expense, of any kind, that I or my child(ren) may experience or incur in connection with my or my child(ren)’s use of Town facilities (“Claims”). On my behalf, and on behalf of my child(ren), I hereby release, covenant not to sue, discharge, and hold harmless the Town, its employees, agents, and representatives, and insurers, of and from the Claims, including all liabilities, claims, actions, damages, costs or expenses of any kind arising out of or relating thereto. I understand and agree that this release includes any Claims based on the actions, omissions, or negligence of the Town, its employees, agents, and representatives, whether a COVID-19 infection occurs before, during, or after my attendance at or use of any Town facilities. I also agree that if, within fourteen (14) days of my attendance at or use of Town facilities, I or my child(ren) contract COVID-19 or I am notified that I may have come in contact with COVID-19 at Town facilities, that I will notify the Town Supervisor of the Town of Johnsbury, as well as the sponsor or host of the event that I am attending at Town facilities, of such positive test, as well as those who I may have come in contact with at any such event. I authorize the Town to use such information of a positive test to participate in any contact tracing to help reduce the spread of COVID-19.

With 5 members voting in favor the resolution is declared carried. Ayes – 5  
(Hogan, Arsenault, Stevens, Arnheiter, Gonyo) Nays – 0

### **New Business:**

- **Highway –**

– **Contract with JMT engineering for project admin.**

***RESOLUTION #116-20***

Mr. Arsenault presented the following resolution and moved its passage with a second from Ms. Arnheiter to accept the \$4900 contract with JMT engineering for project administration for the Hudson Street project. With 5 members voting in favor the resolution is declared carried. Ayes – 5 (Hogan, Arsenault, Stevens, Arnheiter, Gonyo) Nays – 0

– **Surplus equipment**

***RESOLUTION #117-20***

Mr. Arsenault presented the following resolution and moved its passage with a second from Mr. Gonyo to declare the Highway Department's 1996 Oshkosh to be surplus, as it no longer has a useful purpose for the town. With 5 members voting in favor the resolution is declared carried. Ayes – 5 (Hogan, Arsenault, Stevens, Arnheiter, Gonyo) Nays – 0

- Streetscape update

Four companies plan on submitting bids for the laterals, which will be paid for in part by grants which will be lost if not used in 2020. Another bid to go out will be for curbing. Fred Comstock has agreed to do the sidewalks. All of this is coordinated by Cedarwood.

- **Set date for Budget workshop**

A Zoom meeting will take place Wednesday, August 5<sup>th</sup> at 7 pm for a budget discussion.

- Discussion of creating a more inclusive, welcoming community

Ms. Hogan spoke about the Common Ground Alliance Forum she has been participating in and Ms. Lorah mentioned the Adirondack Diversity Initiative schedule of meetings. Both organizations are addressing inclusivity.

### **ZEO, Assessor, Historian and Animal Control reports**

In Board packets

### **Supervisors Monthly reports**

### ***RESOLUTION #118-20***

Mr. Stevens presented the following resolution and moved its passage with a second from Mr. Gonyo to approve the Supervisor's Monthly Report. With 5 members voting in favor the resolution is declared carried. Ayes – 5 (Hogan, Arsenault, Stevens, Arnheiter, Gonyo) Nays – 0

### **Approval of Warrants**

**General Fund** (Total \$43,986.47)  
**Highway Fund** (Total \$41,101.07)  
**Water District** (Total \$27,589.88)  
**Public Library Fund** (Total \$2394.32)  
**Trust and Agency** (\$1991.35)

**Total all warrants \$117,063.09**

### ***RESOLUTION #119-20***

Mr. Arsenault presented the following resolution and moved its passage with a second from Ms. Arnheiter to approve the warrants. With 5 members voting in

favor the resolution is declared carried. Ayes – 5 (Hogan, Arsenault, Stevens, Arnheiter, Gonyo) Nays – 0

**Privilege of the floor:**

**Motion to adjourn**

***RESOLUTION #120-20***

At 8:55 Ms. Arnheiter presented the following resolution and moved its passage with a second from Mr. Gonyo to adjourn. With 5 members voting in favor, the resolution is declared carried. Ayes - 5 (Hogan, Arsenault, Stevens, Arnheiter, Gonyo) Nays- 0

Next meeting Tuesday, August 18, 2020 7 pm  
Online Zoom Meeting

Prepared by:

Kathleen C. Lorah