Board Meeting Date:

October 15, 2024

Resolution # 179 - 24

# APPROVAL OF MINUTES OF OCTOBER 1, 2024

Whereas the Town of Johnsburg Town Board Regular Town Board Meeting on October 15, 2024, and

NOW THEREFORE IT BE RESOLVED that the Town Board has accepted and approved the Meeting Minutes of October 1, 2024.

Mr. Stevens made a Motion to approve and accept the Meeting Minutes of October 1, 2024 and moved its passage with a Second Motion from Mr. Heid. Where upon this Resolution was put to a vote and recorded as follows:

Ayes 5 Nays 0	Recusals 0	1	
Supervisor Bean	XYes	No	Recused
Councilwoman Bowers	X Yes	No	Recused
Councilman Heid	_ <u>_X</u> _Yes	No	Recused
Councilman Stevens	X Yes	No	Recused
Councilman Williams	X Yes	No	Recused

Board Meeting Date: October 15, 2024 Resolution # 180 - 24

### **Resolution To Approve RFP For Audit Services**

WHEREAS, The Town of Johnsburg is seeking proposal from certified public accounting firms to perform the Town's Annual Audit and Single Audits for 2025 and 2026 to meet Federal requirements for USDA and Northern Border Regional Commission Grants the Town will receive in those years, and

WHEREAS, the audit is to comply with the requirements of the Single Audit Act under Government Audit Standards in accordance with OMB Circular A-133 for entities receiving more than \$1,000,000 in Federal funds during a fiscal year. The audit and financial statements will be prepared in accordance with GASB 34 and all other pertinent GASB pronouncements,

WHEREAS, LCLGRP will assist with the language for the RFP,

NOW THEREFORE IT BE RESOLVED The Town of Johnsburg Town Board authorizes a Request for Proposal for said audit services.

Mr. Stevens made a Motion to approve the RFP for Audit Services and moved its passage with a Second Motion from Ms. Bowers. Where upon this Resolution was put to a vote, recorded as follows:

Ayes 5	Nays	0	Recusa	als	
Supervisor Bean			XYes	No	Recused
Councilperson Bowers	s		XYes	No	Recused
Councilperson Heid			XYes	No	Recused
Councilperson Steven	s		XYes	No	Recused
Councilperson Willian	าร		XYes	No	Recused

#### Resolution # 181 - 24

# RESOLUTION IN UNEQUIVOCAL SUPPORT OF BARTON MINES PERMIT APPLICATION WITHOUT RESTRICTION AND ANY FURTHER DELAY

WHEREAS, Barton Mines Corporation, a local business that mines and processes garnet for commercial and industrial use is seeking approval from the New York Department of Environmental Conservation and the to extend the life of its operations; and

WHEREAS, Barton Mines has continually operated its Ruby Mountain site in the Town of Johnsburg (THE "Town") since 1983; and

WHEREAS, the effective life of the mine will end in a few years without the modification requested by Barton Mines in its application to the agencies; and

WHEREAS, the mining and processing would occur entirely on Barton property at the existing Ruby Mountain site; and

WHEREAS, Barton Mines is an important employer in the south east region of the Adirondack Park, and

WHEREAS, Barton Mines spends approximately 8 million dollars for wages and benefits for their one hundred (100) employees and spends approximately 7 million to other businesses to support Barton Mine, and

WHEREAS, Barton Mines provides over 100 good paying jobs for area residents, and

WHEREAS, Barton Mines is not only a major employer, and taxpayer, but is also active in its support of community life here in Johnsburg and neighboring towns.

WHEREAS, Barton Mines has applied to the Department of Environmental Conservation, to modify their mining permit to allow Barton Mines to extend both their residual mineral storage capacity and their mine capacity allowing for approximately 75 more years of mining,

NOW THEREFORE IT BE RESOLVED, the Town Board of the Town of Johnsburg urges both state agencies to approve the application of Barton Mines to allow its operations to continue well into the future.

	ssage	with a	Secon	d Motion fro		n in Support of Barton Mines and id. Where upon this Resolution
Ayes	5	Nays	0	Recusals	0	
Supervisor B Councilwoma Councilman Councilman Councilman	an Bow Heid Steven	s	_X_ _X_ _X_ _ <u>X</u>	Yes Yes Yes Yes	No No No No	Recused Recused Recused Recused Recused Recused

Board Meeting Date: October 15, 2024 Resolution # 182 - 24

### **Resolution To Rescind Resolution #23-252**

WHEREAS, The Town is not ready to move forward with project work for the Vision 2024 project, and

WHEREAS, The capital project fund should only be set up for projects that are in progress

NOW THEREFORE IT BE RESOLVED The Town of Johnsburg Town Board Rescinds Resolution 23-252.

Mr. Heid made a motion to approve the rescinding Resolution #23-252 and moved its passage with a Second Motion from Mr. Williams.

Ayes 5	Nays	0		Recusal	s 0	
Supervisor Bean			X	Yes	No	Recused
Councilperson Bo	wers		X	Yes	No	Recused
Councilperson He	id		X	Yes	No	Recused
Councilperson Ste	evens		X	Yes	No	Recused
Councilperson Wi	lliams		X	Yes	No	Recused

#### Resolution # 23 - 252

# RESOLUTION APPROPRIATING FUNDS FOR PARTIAL DESIGN WORK UNDER PHASE 1 OF VISION 2040 WORK SCHEDULE

WHEREAS, the Town of Johnsburg (the "Town") has approved funding for Phase 1 design work of the Vision 2040 Work Schedule in Resolution #23-228; and

WHEREAS, said resolution calls for a fund to be established within the General Fund in which such appropriations would be deposited; and

WHEREAS, the work contemplated under the Phase 1 design work cannot reasonably be accomplished in fiscal year 2023; and

WHEREAS, the appropriate vehicle for projects that span more than one fiscal year is a capital project fund.

NOW THEREFORE IT BE RESOLVED, that the Town Board amends Resolution #23-228 as follows:

"NOW THEREFORE BE IT RESOLVED, that the Town Board approves the creation of a capital project fund HF Fund for the sole purpose of providing financing for Phase 1 design work of the Vision 2040 Work Schedule as provided herein.

FURTHER BE IT RESOLVED, that \$100,000 be transferred to said capital project fund HF Fund.

AND FURTHER BE IT RESOLVED, that such funds shall only be used for the design work for the road, roughing and greening of the sand pit, ball fields, parking lot, and playing courts as provided for in Phase 1 of the Work Schedule."

Aye 4 Nays 1 Recusals 0

Board Meeting Date: October 15, 2024 Resolution # 183 - 24

### **Resolution To Rescind Resolution #23-210**

WHEREAS, Legal council has reviewed Resolution #23-210 and determined that it was not legally established,

NOW THEREFORE IT BE RESOLVED The Town of Johnsburg Town Board Rescinds Resolution #23-210 Appropriating Reserve Funds To Third Party Contractor To Preform Town Assessment Re-Evaluations.

Mr. Heid made a motion to approve rescinding Resolution # 23-210 and moved its passage with a second from Mr. Stevens. Where upon this Resolution was put to a vote, recorded as follows:

Ayes	5	Nays	0		Recus	als 0		
Supervi	sor Bean			x_	Yes		No	Recused
Council	person Bowers	S		X	Yes		No	Recused
Council	person Heid			X	Yes	_	No	Recused
Council	person Steven	S		X	Yes		No	Recused
Council	person Willian	ns		X	Yes	-	No	Recused

#### Resolution #23 - 210

# RESOLUTION APPROPRIATING A RESERVE FUNDS TO THIRD PARTY CONTRACTOR TO PERFORM TOWN ASSESSMENT RE-EVALUATIONS

WHEREAS, the Town of Johnsburg (the "Town") will need to perform a tax assessment re-evaluation within the next two years; and

WHEREAS, the Town is desirous to perform that re-evaluation to ensure compliance with state guidance; and

WHEREAS, the Town has deemed it prudent and I the Town's best interest that a third-party agency performs said re-evaluation; and

WHEREAS, the Town has secured a number of quotes from reputable agencies that perform such services; and

WHEREAS, the Town understands that such quotes may increase before it requires such services from the respective vendors.

NOW THEREFORE IT BE RESOLVED, that the Town Board approves the creation of a reserve fund within the General Fund for the sole purpose of providing monies to be used to employ a third-party agency to perform a tax assessment re-evaluation on behalf of the Town.

FURTHER BE IT RESOLVED, that \$300,000 be transferred to said reserve fund from the General Fund fund balance.

Ayes 3 Nays 2 Recusals 0

AMENDED RESOLUITON: \$150,000 NOW

\$150,000 NEXT YEAR

Board Meeting Date: October 15, 2024 Resolution # 184 - 24

### Resolution To Contract With KLW Municipal, Inc. For 2025 Reval Services And Budget Amendment To Cover Cost

WHEREAS, The Town is losing revenue as the town valuation number drops below 100%, and

WHEREAS, The Town of Johnsburg wishes to utilize an outside company to assist with the revaluation process, and

WHEREAS, The Town has chosen KLW Option #1, which will use previously collected inventory for a cost of \$91,000.00,

WHEREAS, The previously rescinded resolution 23-210 planned for use of fund balance to cover the cost,

NOW THEREFORE IT BE RESOLVED The Town of Johnsburg Town Board authorizes the Supervisor to contract with KLW Municipal for a 2025 revaluation at a cost of \$91,000.00 plus \$3,000.00 for mailings,

BE IT FURTHER RESOLVED The Town of Johnsburg Town Board authorizes a budget amendment of \$91,000.00 plus \$3,000 for mailings from A599 General Fund balance to A1355.41 to cover the cost of the revaluation.

Mr. Heid made a Motion to approve the contract with KLW Municipal for 2025 Reval and Budget Amendment to Cover Cost and moved its passage with a Second Motion from Mr. Williams. \_. Where upon this Resolution was put to a vote, recorded as follows:

Ayes	3	Nays	2		Recusa	als 0		
Superv	visor Bean			X_	Yes		_No	Recused
Counc	ilperson Bowe	ers			_Yes	X	No	Recused
Counc	ilperson Heid			X	Yes		_No	Recused
Counc	ilperson Steve	ns			_Yes	X_	No	Recused
Counc	ilperson Willia	ıms		X_	Yes		_No	Recused

Board Meeting Date: October 15, 2024 Resolution # 185 - 24

### **Resolution To Make Budget Line Transfers & Budget Amendment**

WHEREAS, The following budget amendment and budget line transfers are recommended to avoid negative balances and account for unanticipated expenses, and

WHEREAS, \$7,000 is needed to cover the cost of scrap tire removal, and

WHEREAS, \$5,000 is needed to cover the cost of trash hauling/disposal

WHEREAS, \$1,000 is needed to cover cemetery maintenance supplies that are purchased in the fall to provide maintenance to the equipment prior to winter, and

WHEREAS, \$771.90 is needed to cover youth program expenses, and

WHEREAS, \$2007 is needed to cover senior programming as the senior bus was an offer that became available in the spring and we opted to participate, and

WHEREAS, \$413.91 is needed from the ski bowl reserve to cover garden expenses, and

WHEREAS, \$1592 is needed to cover the cost of dry ice during power outage, and

WHERAS, \$12,000 is needed to cover health insurance costs due to a mid-year addition

NOW THEREFORE IT BE RESOLVED The Town of Johnsburg Town Board authorizes the following transfers:

\$7,000 from A8160.1 Refuse & Garbage PS to A8090.4 Environmental Control CE

\$5,000 from A8160.1 Refuse & Garbage PS to A8160.4 Refuse & Garbage CE

\$1,000 from A8810.1 Cemetery PS to A8810.4 Cemetery CE

\$771.90 from A7310.1 Youth Program PS to A7310.4 Youth Program CE

\$2,007 from A7989.4 Other culture & Recreation to A6772.4 Programs for the aging CE

\$413.91 from A233 to A8510.4 Ski Bowl Park CE

\$1592 from A 1990.4 Contingency to A4010.4 Public Health

\$11,000 from L599 Library Fund Balance to L9060.8 Medical & Dental

Mr. Stevens made a Motion to approve the Budget Line Transfers and Budget Amendments and moved its passage with a Second Motion from Ms. Bowers.

Ayes 5	Nays	0		Recusal	s 0	
Supervisor Bean			X	Yes	No	Recused
Councilperson Be	owers		X	Yes	No	Recused
Councilperson H	eid		X	Yes _	No	Recused
Councilperson St	evens		X	Yes	No	Recused
Councilperson W	/illiams		X	Yes _	No	Recused

### TOWN OF JOHNSBURG

Board Meeting Date: October 15, 2024 Resolution # 186 - 24

# AUTHORIZATION TO PROCEED FOR PAVING OF SALT SHED

WHEREAS, the Highway Department is requesting Authorization to Proceed with the paving of the salt shed

NOW THEREFORE IT BE RESOLVED The Town of Johnsburg Town Board authorizes the Authorization to Proceed with the paving of the salt shed.

Mr. Heid made a Motion to authorizes the paving of the salt shed for the Highway Department and moved its passage with a Second Motion from Mr. Stevens.

Ayes 5 Nays 0	Recusals 0		
Supervisor Bean	_X Yes	No _	Recused
Councilperson Bowers	_X Yes	No	Recused
Councilperson Heid	_XYes	No	Recused
Councilperson Stevens	_XYes	No	Recused
Councilperson Williams	_XYes	No	Recused

### **TOWN OF JOHNSBURG**

Board Meeting Date: October 15, 2024 Resolution # 187 - 24

# AUTHORIZATION TO PROCEED FOR PURCHASE OF A TOW BEHIND BLOWER

WHEREAS, the Highway Department is requesting Authorization to Proceed with the purchase of a tow behind blower;

NOW THEREFORE IT BE RESOLVED The Town of Johnsburg Town Board authorizes the Authorization to Proceed with the purchase of a tow behind blower.

Ms. Bowers made a Motion to authorize the purchase of a tow behind blower for the Highway Department and moved its passage with a Second Motion from Mr. Heid.

Ayes 5 Nays 0	Recusals 0		
Supervisor Bean	_X Yes	No	Recused
Councilperson Bowers	_X Yes	No	Recused
Councilperson Heid	_XYes	No	Recused
Councilperson Stevens	_XYes	No	Recused
Councilperson Williams	_XYes	No	Recused

#### Resolution # 188 - 24

### **RESOLUTION TO SET PUBLIC HEARING FOR 2025 PRELIMINARY BUDGET**

WHEREAS, the Town of Johnsburg (the "Town") intends to have its 2025 Preliminary Budget completed in accordance with the Office of the State Comptroller's (OSC) schedule; and

WHEREAS, OSC requires the Town to hold a Public Hearing with respect to that Preliminary Budget.

NOW THEREFORE IT BE RESOLVED, that the Town Board sets a Public Hearing for the Preliminary Budget on November 7, 2024 at 6:30PM in the auditorium at Tannery Pond Community Center.

Mr. Williams made a Motion to set the Public Hearing for the Preliminary Budget at 6:30PM on November 67 2024 and moved its passage with a Second Motion from Ms. Bowers.

Ayes 5	Nays 0	Recusals 0		
Superviso	or Bean	_X Yes	No	Recused
Councilpe	erson Bowers	_X Yes	No	Recused
Councilpe	erson Heid	_XYes	No	Recused
Councilpe	erson Stevens	_XYes	No	Recused
Councilpe	erson Williams	_XYes	No	Recused

Board Meeting Date:

October 15, 2024

Resolution # 189-24

### APPROVAL OF SUPERVISOR'S REPORT

Whereas the Town of Johnsburg Town Board had its Regular Town Board Meeting on October 15, 2024, and

NOW THEREFORE IT BE RESOLVED that the Town Board has accepted and approved the Supervisor's Report.

Ms. Bowers made a Motion to approve and accept the Supervisor's Report dated October 4, 2024 and moved its passage with a Second Motion from Mr. Heid. Where upon this Resolution was put to a vote and recorded as follows:

Ayes 5	Nays 0	Recusals 0	)	
Superviso	r Bean	X Yes	No	Recused
Councilwo	oman Bowers	X Yes	No	Recused
Councilm	an Heid	X Yes	No	Recused
Councilm	an Stevens	X Yes	No	Recused
Councilm	an Williams	XYes	No	Recused

Board Meeting Date: October 15, 2024 R

Resolution # 190 - 24

### **WARRANTS**

Whereas the Town of Johnsburg Town Board had its Regular Meeting on October 15, 2024, and

NOW THEREFORE IT BE RESOLVED that the Town Board has approved the Warrants.

GENERAL FUND	\$	45,040.56
HIGHWAY FUND	\$	26,132.87
WATER IMPROVEMENT PROJECT	\$	8,822.50
SEWER DISTRICT PROJECT	\$	1,875.00
SKI BOWL MITIGATION PROJECT	\$	2,500.00
LIBRARY FUND	\$	2,281.76
EMS	\$1	98,765.75
WATER DISTRICT	\$	8,269.71
TRUST & AGENCY	\$	876.52
TOTAL	\$2	94,564.67

Mr. Heid made a Motion to approve the Warrants and moved its passage with a Second Motion from Ms. Bowers. Where upon this Resolution was put to a vote and recorded as follows:

Ayes 5 Nays 0	Recusals 0		
Supervisor Bean	_XYes	No	Recused
Councilwoman Bowers	_X Yes	No	Recused
Councilman Heid	_X Yes	No	Recused
Councilman Stevens	_X Yes	No	Recused
Councilman Williams	_X Yes	No	Recused

Board Meeting Date: October 15, 2024 Resolution # 191 – 24

## Resolution To Acknowledge Changes Between Tentative & Preliminary Budgets

WHEREAS, The following changes have been made from the Final Tentative Budget to the Preliminary Budget:

### **General Fund**

A1110.1 – Court Personal Services – increased from \$30,468 to \$31,383 – 3%

A1410.1 - Clerk Personal Services - increased from \$44,804 to \$46,149 - 3%

A5010.4 - Highway Superintendent Personal Service - increased from \$60,000 to \$61,800 - 3%

#### **Highway Fund**

DA5130.4 – Machinery Contractual decreased from \$130,000 to \$115,000

DA5680.2 - Pit Closure decreased from \$80,000 to \$40,000

#### **Library Fund**

L1001 – Real Property Tax Revenue increased from \$86,194 to \$96,185

#### Fire Fund

SF1001 – Real Property Tax Revenue decreased for \$289,492 to 283,815 SF3410.4 – EMS Contractual decreased from \$803,694 to \$799,378

#### **Water Fund**

No changes currently. We are working with Cedarwood to evaluate the water rate schedule and anticipate there will be changes after the Public Hearing before adoption

NOW THEREFORE IT BE RESOLVED, the Town of Johnsburg Town Board acknowledges the changes made to the Budget between the filed Tentative and filed Preliminary Budgets

Mr. Williams made a Motion to acknowledge the changes between the Tentative and Preliminary Budget and moved its passage with a Second Motion from Mr. Heid. Where upon this Resolution was put to a vote, recorded as follows:

Ayes 4	Nays	1	Recus	als 0	
Supervisor Bean			XYes	No	Recused
Councilperson Bo	wers		Yes	XNo	Recused
Councilperson He	id		XYes	No	Recused
Councilperson Ste	evens		XYes	No	Recused
Councilperson Wi	lliams		XYes	No	Recused

Board Meeting Date:

October 15, 2024

Resolution # 192-24

## **EXECUTIVE SESSION**

Whereas the	Town of	Johnsburg '	Town Bo	ard had	its Regulaı	r Meeting o	on October	15, 2	2024
and									

Whereas the Town Board has asked to Adjourn to an Executive Session.

Ms. Bowers made a Motion at 8:45PMto move to Executive Session and moved its passage with a Second Motion from Mr. Heid. Where upon this Resolution was put to a vote and recorded as follows:

Ayes 5	Nays 0	Recusals 0	)	
Superviso	r Bean	X Yes	No	Recused
Councilwoman Bowers		XYes	No	Recused
Councilm	an Heid	X Yes	No	Recused
Councilm	an Stevens	X Yes	No	Recused
Councilm	an Williams	X Yes	No	Recused

Board Meeting Date: October 15, 2024 Resolution # 193-24

# **ADJOURN EXECUTIVE SESSION**

Whereas the Town of John and	nsburg Town Board had its Regular Meeting on October 15, 2024,
Whereas the Town Board	has asked to Adjourn the Executive Session.
	n at 9:04PM to Adjourn the Executive Session and moved its otion from Mr. Williams. Where upon this Resolution was put to a wws:
Ayes 5 Nays 0	Recusals 0
Supervisor Bean	XYesNoRecused
Councilwoman Bowers	XYesNoRecused
Councilman Heid	X Yes
Councilman Stevens	X Yes No Recused
Councilman Williams	Y Vac No Recused

Board Meeting Date:

October 15, 2024

Resolution # 194-24

# **APPOINTMENT OF ZBA MEMBERS**

Whereas the Town of Johnsburg Town Board had its Regular Meeting on October 15, 2024, and

Whereas the Town Board has asked to appoint two new ZBA Members as a result of the Executive Session.

Erwin Morris			
Supervisor Bean	X Yes	No	Recused
Councilwoman Bowers	XYes	No	Recused
Councilman Heid	XYes	No	Recused
Councilman Stevens	X Yes	No	Recused
Councilman Williams	X Yes	No	Recused
Rick Bennett			
Supervisor Bean	X Yes	No	Recused
Councilwoman Bowers	Yes	No	_X_ Recused
Councilman Heid	X Yes	No	Recused
Councilman Stevens	Yes	No	_X_ Recused
Councilman Williams	XYes	No	Recused

**Board Meeting Date:** 

October 15, 2024

Resolution # 195 - 24

# **RETURN TO REGULAR TOWN BOARD MEETING**

Whereas the Town of Johnsburg Town Board had its Regular Meeting on October 15, 2024, and

Whereas the Town Board has asked to move back to the Regular Town Board Meeting.

Mr. Bowers made a Motion at 9:05PM to move to back to the Regular Town Board Meeting and moved its passage with a Second Motion from Mr. Heid. Where upon this Resolution was put to a vote and recorded as follows:

Ayes 5	Nays 0	Recuse	0
Supervisor Bean	XYes	No	Recused
Councilwoman Bowers	<u>X</u> Yes	No	Recused
Councilman Heid	X Yes	No	Recused
Councilman Stevens	X Yes	No	Recused
Councilman Williams	X Yes	No	Recused

**Board Meeting Date:** 

October 15, 2024

Resolution # 196 - 24

## **ADJOURN**

Whereas the Town of Johnsburg Town Board had its Regular Meeting on October 15, 2024, and

Ms. Bowers a Motion to Adjourn the Meeting at 9:32PM and moved its passage with a Second Motion from Mr. Heid. Where upon this Resolution was put to a vote and recorded as follows:

Ayes 5 Nays 0	Recusals 0	)	
Supervisor Bean	XYes	No	Recused
Councilwoman Bowers	X Yes	No	Recused
Councilman Heid	X Yes	No	Recused
Councilman Stevens	X Yes	No	Recused
Councilman Williams	X Yes	No	Recused