

Town Board Meeting
November 9, 2023

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

1. Pledge of Allegiance – led by Kevin Bean
2. Called to Order at 7:04 PM - Public Hearing for Local Law #3-2023 – Supervisor Smith – if we can cut the budget by \$1 million we can keep it at 2%. All were in favor of JEMS, need to keep up with other Towns.
 - Public Discussion – no one
3. Public Hearing Preliminary Budget – trying to project a 5-year plan to wean us off fund balance; trying to have a soft landing by 2028; give everyone a chance to get used to things; gave a financial impact.
 - Public Discussion
 - Bruce Dunkley – had many questions concerning specific line items in the budget; very good questions; Supervisor Smith thanked Mr. Dunkley for being so thorough.
 - Bob Nettle – I started talking about the HHHN stipend a long time ago and it’s still here; how much does the glossy magazine cost 2x a year, along with their TV advertising and billboard advertising? They don’t need our \$25,000.
 - Jim Williams – clarification – money for sand pit, if that money isn’t used where does it go? Supervisor Smith – back to the General Fund.
 - Kelly Nettle – to the point of \$25,000 for the sand pit, what about \$25,000 per year to reclaim the sand pit; Supervisor Smith – it’s not for the reclamation
 - Deana Wood – if that’s set aside is it set in an account? Supervisor Smith – it sits over 6-8 accounts, put into certain accounts with NYCLASS, Community Bank, GF National.
 - Close the Public Hearing for the Preliminary Budget
4. 8:13PM – Regular Meeting called to order
5. Approval of October 17, 2023 Meeting Minutes – Supervisor Smith – can I get a Motion to approve/accept the Meeting Minutes?
RESOLUTION # 23 – 204
Mr. Gonyo made a Motion to approve and accept the October 17, 2023 Meeting Minutes and moved its passage with a Second Motion from Mr. Hoskins. With the following members present voting in favor of the Resolution it is carried. Ayes – 5 (Smith, Gonyo, Stevens, Arsenault, Hoskins); Nays – 0.
6. Resolution for Local Law #3-2023 – Supervisor Smith – I’m looking for a Motion to approve Local Law # 3-2023 to exceed the Tax Cap for the 2024 Budget.
RESOLUTION # 23 – 205
Mr. Stevens made a Motion to approve the Local Law #3 – 2023 to exceed the Tax Cap for the 2024 Budget and moved its passage with a Second Motion from Mr. Gonyo. With the following members present voting in favor of the Resolution it is carried. Ayes – 5 (Smith, Gonyo, Stevens, Arsenault, Hoskins); Nays – 0.

7. Resolution for Preliminary Budget – Supervisor Smith – looking for a Motion to accept the Preliminary Budget; changes can be made.

RESOLUTION # 23 – 206

Mr. Hoskins made a Motion to accept the Preliminary Budget as it is and moved its passage with a Second Motion from Mr. Arsenault. With the following members present voting in favor of the Resolution it is carried. Ayes – 5 (Smith, Gonyo, Stevens, Arsenault, Hoskins); Nays – 0.

8. Resolution to Approve the 2040 Master Plan – all Board Members have a copy of the plan – Supervisor Smith read the Resolution for the Public.

RESOLUTION # 23 - 207

Mr. Stevens made a Motion to approve the 2040 Master Plan and moved its passage with a Second Motion from Mr. Hoskins. With the following members present voting in favor of the Resolution it is carried. Ayes – 5 (Smith, Gonyo, Stevens, Arsenault, Hoskins); Nays – 0. Mr. Hoskins - for the record we received a letter from Bone Bayse – Gore and ORDA approve of the plan as well.

9. Resolution Approving Tentative Vision for 2040 Work Schedule – Supervisor Smith - broken down into 4 phases; Mr. Gonyo – this resolution commits us only to the work outlined in the phases, this does not tie us to any monetary obligation? Supervisor Smith – correct.

RESOLUTION # 23 – 208

Mr. Hoskins made a Motion to approve the Tentative Vision 2040 Work Schedule and moved its passage with a Second Motion from Mr. Stevens. With the following members present voting in favor of the Resolution it is carried. Ayes – 5 (Smith, Gonyo, Stevens, Arsenault, Hoskins); Nays – 0

10. Resolution to Appropriate Funds for the Partial Phase 1 Design Work – Supervisor Smith – this is another engineering thing; \$100,000 of fund balance into an account for the engineering work; AS/PH; Mr. Gonyo – I would vote to table this until the budget has been finalized; we’re still adjusting numbers and we don’t know how it will affect the reserve funds; Mr. Gonyo – motion to table Mr. Stevens -sound reasonable; Supervisor Smith – I think we need to get a better handle on this and how much we can afford to put into this; I think it’s a good idea, but I can see the merit in not overextending ourselves.

RESOLUTION # 23 – 209

Mr. Gonyo made a Motion to table this until after the Budget has been finalized and moved its passage with a Second Motion from Mr. Stevens. With the following members present voting in favor of the Resolution it is carried. Ayes – 5 (Smith, Gonyo, Stevens, Arsenault, Hoskins); Nays – 0.

11. Resolution Establishing a Reserve Fund for 2024/2025 Assessment for Re-val – Supervisor Smith – this is for a 3rd party contractor; this is the right thing to do at this time. \$300,000; Mr. Stevens – why would we table a \$100,000 and spend \$300,000; Mr. Hoskins – it’s a lot of money to assure confidence; Mr. Gonyo – we were looking at this earlier on; Mr. Hoskins – we can do a re-val for less than \$300,000; Mr. Arsenault – aren’t we required to update our information; Supervisor Smith – 3 years; I would wait until 2025, but if not 2024 would be the year; Mr. Gonyo – we’re already a year into it; Supervisor Smith – we could slide until 2025; take half now and half later; Mr. Arsenault – hesitate to put that amount of money aside, not in favor of it; Mr. Gonyo – it’s a year and a half if we wait; I’m looking at this from the standpoint of the park is not a need; Mr. Hoskins – it’s a waste of money, we can do it in-house; Mr. Gonyo – if we don’t set these funds aside, it’s an expense we have to bear; Mr. Hoskins – it’s a lot of money that we don’t need to spend; Supervisor Smith – assessor would rather have a third party do it this time; Mr. Gonyo – that number was based on the most expensive quote from 3 different firms to conduct the re-val; Mr. Hoskins – you’re not getting much for it, total waste of tax payers money; Mr. Gonyo – we need to keep our commitment to the State that was made previously made; set \$150,000 to conduct the re-val in the future; Mr. Gonyo – let’s amend the resolution to \$150,000. Supervisor Smith – yes.

RESOLUTION # 23 – 210

Mr. Gonyo made a Motion to amend the Resolution to be \$150,000 now and \$150,000 next year for the 3rd Party Re-val and moved its passage with a Second Motion from Mr. Stevens. With the following members present voting in favor of the Resolution, it is carried. Ayes – 3 (Smith, Gonyo, Stevens); Nays – 2 (Hoskins, Arsenault).

12. Resolution to Extend the Memorandum of Authorization by and between LCLGRP – Supervisor Smith - remediation at Ski Bowl Resiliency may take longer than anticipated; this extension would be at a cost of \$7,500.

RESOLUTION # 23 – 211

Mr. Stevens made a Motion to approve the MOA with LCLGRP for the Ski Bowl Resiliency Project and moved its passage with a Second Motion from Mr. Hoskins. With the following members present voting in favor of the Resolution it is carried. Ayes – 5 (Smith, Gonyo, Stevens, Arsenault, Hoskins); Nays – 0.

13. Lights on Occupancy Tax Money – Supervisor Smith – we had a private donor that had done this in the past; Mr. Olesheski would like to amend the amount for an additional \$100 for prizes to the float winners. – total would be \$1,000.

RESOLUTION # 23 – 212

Mr. Hoskins made a Motion to approve the \$1,000 from Occ Tax for the Lights On/Prize and moved its passage with a Second Motion from Mr. Gonyo. With the following members present voting in favor of the Resolution it is carried. Ayes – 5 (Smith, Gonyo, Stevens, Arsenault, Hoskins); Nays – 0.

14. Resolution to Repay Warren County – Supervisor Smith – there was a Warrant Error in 2021 from the County (\$10,000) their error, it would come from Fund Balance.

RESOLUTION # 23 – 213

Mr. Gonyo made a Motion to approve payment to Warren County and moved its passage with a Second Motion from Mr. Arsenault. With the following members present voting in favor of the Resolution it is carried. Ayes – 5 (Smith, Gonyo, Stevens, Arsenault, Hoskins); Nays – 0.

15. No Budget Amendments for tonight.

16. Resolution to Increase Senior Income Exemptions – Supervisor Smith – 5 years or longer since this has changed; discussed with Assessor, school and County; this would be durable for a few years; Mr. Gonyo – thank you for tracking this down and making this happen, it's the second exemption we've made this year; thank you. Mr. Williams – how do we get this information to the tax payers? Supervisor Smith – the Assessor will get this out; when you get your letter, please come down and apply; bank statement or income tax; fixed income – bank statement for 15 days.

RESOLUTION # 23 – 214

Mr. Stevens made a Motion to approve the new Senior Income Exemption and moved its passage with a Second Motion from Mr. Hoskins. With the following members present voting in favor of the Resolution it is carried. Ayes – 5 (Smith, Gonyo, Stevens, Arsenault, Hoskins); Nays – 0.

17. Resolution to Change the Date of the Board Meeting from 11/21 to 11/20 – due to the Final Budget.

RESOLUTION # 23 – 215

Mr. Gonyo made a Motion to approve moving the next Town Board Meeting from November 21, 2023 to November 20, 2023 in order to get the Final Budget adopted and moved its passage with a Second Motion from Mr. Stevens. With the following members present voting in favor of the Resolution it is carried. Ayes – 5 (Smith, Gonyo, Stevens, Arsenault, Hoskins); Nays – 0.

18. Resolution for the Highway Department to Pave the Lane – Supervisor Smith – we’ve done a lot of projects this year, culverts, paving, thank you to the Highway Department. This will be the last paving for the year and this will come out of the CHIPS Line.

RESOLUTION # 23 – 216

Mr. Hoskins made a Motion to approve the paving of The Lane with CHIPS funds and moved its passage with a Second Motion from Mr. Gonyo. With the following members present voting in favor of the Resolution it is carried. Ayes – 5 (Smith, Gonyo, Stevens, Arsenault, Hoskins); Nays – 0.

19. Resolution to Replace the Boiler System at the Highway Garage – Supervisor Smith – this is an emergency situation at the point; parts are not available for this system as it is so old. Part of this Resolution would be to approve 50% down. Mr. Konis – did you try Tempheat? Supervisor Smith – no this needs to be replaced as soon as possible.

RESOLUTION # 23 – 217

Mr. Hoskins made a Motion to approve the replacement of the boiler at the Highway Garage and moved its passage with a Second Motion from Mr. Arsenault. With the following members present voting in favor of the Resolution it is carried. Ayes – 5 (Smith, Gonyo, Stevens, Arsenault, Hoskins); Nays – 0.

20. Resolution for Easement for Water Tank – Supervisor Smith – this is nothing out of the ordinary; both party’s attorneys have reviewed. Ms. Hutchins – thank you for getting this done; when can we expect insurance to take over? Supervisor Smith – I would assume the same day as it’s all signed.

RESOLUTION # 23 – 218

Mr. Gonyo made a Motion to accept and approve the Easement for the Water Tank and moved its passage with a Second Motion from Mr. Stevens. With the following members present voting in favor of the Resolution it is carried. Ayes – 5 (Smith, Gonyo, Stevens, Arsenault, Hoskins); Nays – 0.

21. Executive Session – Supervisor Smith – could I get a Motion to go into Executive Session?

RESOLUTION # 23 – 219

Mr. Gonyo made a Motion to move into Executive Session at 9:00PM and moved its passage with a Second Motion from Mr. Stevens. With the following members present voting in favor of the Resolution it is carried. Ayes – 5 (Smith, Gonyo, Stevens, Arsenault, Hoskins); Nays – 0.

Returned from Executive Session at 9:22PM – it was agreed during this Executive Session that the Town of Johnsburg will proceed with litigation regarding the Elderwood lawsuit.

We will now return to the Regular Town Board Meeting

22. Resolution for the Johnsburg Garage Location – Supervisor Smith read the Resolution and noted that \$10,000 in Occ Tax has already been set aside for this. Could I get a Motion to approve.

RESOLUTION # 23 – 220

Mr. Hoskins made a Motion to approve the Resolution as stated for the Johnsburg Garage Location and moved its passage with a Second Motion from Mr. Arsenault. With the following members present voting in favor of the Resolution it is carried. Ayes – 5 (Smith, Gonyo, Stevens, Arsenault, Hoskins); Nays – 0.

23. Supervisor’s Report – Supervisor Smith – any questions?

RESOLUTION # 23 – 221

Mr. Hoskins made a Motion to approve the Supervisor’s Report and moved its passage with a Second Motion from Mr. Arsenault. With the following members present voting in favor of the Resolution it is carried. Ayes – 5 (Smith, Gonyo, Stevens, Arsenault, Hoskins); Nays – 0.

24. Committee Reports – Mr. Gonyo - Personnel Committee and Planning Committee met and had an interview for a ZEO; a good fit for the job; we were going to bring the recommendation to hire this

individual; he wanted to increase the salary; we've already done that for a full-time position; revisit job description and put back out for advertisement or talk about adjusting the salary again; \$60,000, we're at \$42,000; Supervisor Smith – at \$60,000 they would be the highest paid person in town; this is the problem that will become more and more frequent; I don't think we can do \$60,000 at this time; it needs to be a full time position; Mr. Gonyo – we increased the salary as well once; Supervisor Smith – it's a competitive salary for around here; re-advertise? Mr. Gonyo – we can't even come close to that \$60,000, a modest adjustment will not close the deal; 4-5 month advertisement – only a couple viable candidates; keep salary as is and move back to part-time, 3 days a week; would not have to pay benefits; Mr. Hoskins – raise the salary a little and see what happens; Supervisor Smith – we'll put back to 3 days a week and the individual will have to manage time better; – let's offer this to the candidate and see what happens. Supervisor Smith – all OK with that, all good.

25. Warrants – Supervisor Smith – I have gone through all, accurate; Mr. Gonyo – voucher 795? Clarified by Supervisor Smith. Can I get a Motion to accept?

RESOLUTION # 23 – 222

Mr. Stevens made a Motion to accept and approve the Warrants and moved its passage with a Second Motion by Mr. Arsenault. With the following members present voting in favor of the Resolution it is carried. Ayes – 5 (Smith, Gonyo, Stevens, Arsenault, Hoskins); Nays – 0.

GENERAL FUND	\$ 74,213.34
HIGHWAY FUND	\$ 52,418.43
WATER IMPROVEMENT PROJECT	\$ 621,205.05
SEWER DISTRICT PROJECT	\$ 24,237.60
LIBRARY FUND	\$ 1,374.59
WATER DISTRICT	\$ 13,159.21
TRUST & AGENCY	\$ 3,554.44
TOTAL	\$ 790,162.67

Supervisor Smith - The Budget will be approved on the November 20, 2023 and will also be executing the Fire Contracts that same week.

26. Privilege of the Floor –

- Judy Brown – update on Re-use Shed – going very well; 24 volunteers at this time; 3-5PM, 10-12 on weekends; volunteers are having a blast; waiting on some shelving; just bought a propane heater; Kelly Nettle - what kind of things? Judy Brown – household things, fits in the shed, too big we can put on bulletin board; nothing broken or in need of repair; Supervisor Smith – from a safety perspective – need a fire extinguisher there? Mr. Comstock – will get one for Re-use Shed; Jim Williams is there a donation jar? Judy Brown – not yet, but it's in the works;
- Kelly Nettle – thank you Board for approving the Plan, much appreciated, it's been a lot of work to get us to this point; parking on Main Street .
- Dan Walter - \$25,000 for mine reclamation is a great idea; will it be done in Zones; it's very specific on how to reclaim it; it can be extremely expensive; will the plan have any effect on what is planned for the park area right now; Supervisor Smith - it's all for consideration; Mr. Walter - thank you; appreciate the paving that's been done.

27. Motion to Adjourn – Supervisor Smith – if there’s no further comments for Privilege of the Floor could I get a Motion to Adjourn?

RESOLUTION # 23 – 223

Mr. Gonyo made a Motion to adjourn the Regular Town Board Meeting at 9:41PM and moved its passage with a Second Motion from Mr. Hoskins. With the following members present voting in favor of the Resolution it is carried. Ayes – 5 (Smith, Gonyo, Stevens, Arsenault, Hoskins); Nays – 0.

Prepared by:

Jean M. Comstock

Jean M. Comstock
Town Clerk

**NEXT TOWN BOARD MEETING WILL BE HELD ON MONDAY, NOVEMBER
20, 2023 AT 7:00PM AT TANNERY POND**