

Town of Johnsburg
Minutes of Town Board Meeting – April 26, 2022
7:00PM – Tannery Pond & Zoom

PRESENT: Arnold Stevens – Councilman Peter Olesheski – Councilman
 Justin Gonyo – Councilman Gene Arsenault – Councilman – via Zoom
 Joann Morehouse – Deputy Town Clerk Andrea Hogan - Supervisor

1. Meeting called to order at 7:00 PM; pledge led by Chris Heidrich;

Ski Bowl Garden and Outreach could use volunteers; Tidy our Town this weekend as well – get out and help clean up our Town.

Supervisor Hogan – explained the fairness of the re-val; we want to get the process right and the tax payers are helping us; myself and the Town Board have worked on answering all questions and concerns; I have personally contacted professionals; your petition speaks volumes; there is no petition or lawsuit that will change the assessment; our Town Assessor is a professional and fully qualified to perform her job; higher assessment does not mean higher taxes; there is a 2% cap on taxes; on May 1st we'll have the Tentative Roll and if there were changes you'll receive a letter, then the meeting on 5/12/22 to discuss prior to BAR on 5/26/22. Town Board cannot use 2021 numbers; we can do an outside assessment, it will be costly and have in impact on the Budget; let's take a look at the Tentative Roll first and then see what steps we need to take. We will work on better communication. Affordability of housing in our Town, it's a big challenge. WCEDC will be with us on 5/12/22. A committee is being formed to address these issues – Mr. Olesheski will be heading this committee and will seek assistance. Let's all work together.

2. Correspondence/Privilege of the Floor:

Do you have a quorum? Supervisor Hogan – yes, Gene is on Zoom.

Mr. Morris read letter re: petition referencing Law Sections 86, 90, 91, 94; 25% of voters to challenge the assessment.

Ms. Hutchins – I live on Austin Pond Road, some homes have finished basements and were not assessed with that, why? I was told she couldn't go on the property; it doesn't seem fair; there are Air B&B's on the road as well; we don't mind paying our fair share of taxes, but it needs to be fairly assessed.

Mr. Ashline – 2 years before you bought your house, I invested \$149,500; I went up \$210,000; Supervisor Hogan – the State reviews all Board members assessments; how is my property \$147,000 more than yours. Supervisor Hogan – I hear you.

Ms. Freebern – couldn't get a visit for an informal meeting with Assessor; paperwork for BAR has to be in by May 26th; will there be an extension of time; Supervisor Hogan – there were evening hours available; BAR will be 8 hours rather than 4 hours; Ms. Freebern – hope that's enough time; Supervisor Hogan – no decisions will be made at that time; your paperwork needs to be in by 5/26/22;

Mr. Williams – you do not need a high school diploma to be an Assessor; Water District values went down by thousands; people of BAR must not have any connections to the Assessor; no gifts, vacations like on the Coast of Maine – this is not legal. We are awake and we are paying attention. Referenced Oath of Office letter from Town Attorney; 1/4/22 – Board Meeting, Supervisor didn't sign her Oath until 1/19/22; Executive Orders – strict guidelines; the Board does have the power; we're asking you to rescind the Resolution, then use 2021 numbers;

Ms. Broderick – Board needs to rescind Resolution to do the Assessment; just too many inconsistencies; my opinion is that it's flawed beyond repair;

Mr. Hartig – what are the final numbers? What went down and what went up with the Assessment? Supervisor Hogan – current numbers are preliminary;

AUDIO WAS LOST

Mr. Konis – there are means and methods to have your taxes lowered, the challenge when the values are too high, but what if they are too low? It's critical that we take a look at this; those that their taxes went down still signed the Petition to help others; What day are the values set, per Supervisor Hogan – July 1, 2022. Supervisor Hogan – could we please wait until May 1, 2022;

Mr. Fallon – If you didn't meet with the Assessor, your numbers won't change? Supervisor Hogan – that's correct; Commercial Property went down, how is that possible? Supervisor Hogan – that's a Zoning question;

Mr. Williams – let's stop this one and have it done correctly; Supervisor Hogan – that's why we want to wait until May 1st; Mr. Williams – you won't be able to use the 2021 numbers; the Resolution authorized the money for the re-val, we can't get that money back; rescinding the Resolution would not change the numbers; she believes her numbers are accurate; it would be a very strong statement by the Board to rescind this.

Mr. Ashline – when will the School have to use these numbers? Supervisor Hogan – no numbers are final until July 1, 2022; when you look at the Water and Gore numbers, how do you not see the problem? Mr. Gonyo – I asked the same question – that number specifically has been adjusted for the Tentative roll, other numbers were adjusted as well; I am sorry for that confusion and I don't know why they went down.

Mr. Sweeney – we're a second homeowner in North Creek; recently went through a re-val in Westchester County and it was done by an outside agency and it was well received; I would highly recommend the Town hire an outside company;

Ms. Sponable – I'm really concerned that those that came to speak with the Assessor there wouldn't be any changes; most people didn't realize that their assessment would not be looked at unless they came to see the Assessor; how many people actually made an appointment with her? Supervisor Hogan – I don't have that number; unfair just to send letters to those that came in;

Ms. Therio – most of my career has been in data analysis; I have worked with the data and it doesn't add up; there will still be "puts and takes" and all will be upset; numbers were not reviewed by the County; for all of these reasons – it needs to be professionally reviewed or redone;

Mr. Hughes – I appreciate that the Board looked at the Town's properties; with the Assessor being an appointed position, by the Board, could we ask the Assessor for a reconciliation by the next Board Meeting?

Close Privilege of the Floor.

3. New Business:

- a. Child Care Business – spoke with Supervisor Hogan several months ago; initially wanted a commercial daycare – too many barriers; through help from the County it is viable option; I'd like to provide some stability and care for more local individuals; working with OCSF as well to get daycare for others; I'm leasing to purchase the home; I do have an investor, but need more money; Dylan Glover would like to open a residential day care and is looking for some financial assistance; Supervisor Hogan noted that the Rescue Plan Fund does have some funds available for child care; we can't make a decision here tonight; needs a specific amount; Ms. Glover is asking for \$40,000 to help purchase her home to open the day care;

we will take this back to the Committee and will hopefully have an answer by the next Board Meeting.

- b. New Line Item to Budget – WIIA Grant Line needs to be added, \$3,000,000 – Grant for repairs.

RESOLUTION # 22 – 68

Mr. Gonyo presented the Resolution and moved its passage with a Second Motion from Mr. Olesheski to add the new line item to the Budget. With the following Town Board Members present voting in favor, the Resolution is declared carried. Ayes – 5 (Stevens, Arsenault, Gonyo, Hogan, Olesheski); Nays – 0

- c. World University Games – Ms. Bowers gave a presentation for the World University Games (coming to North Creek February 2023) and will e-mail the presentation to the Board and Town Supervisor; chance to have even more people in Town; Town will need to help pay for the signage hardware; Mr. Gonyo asked what was the timeline? Ms. Bowers indicated hopefully before June; we do have some money in the Rescue Plan; Mr. Stevens – cost, \$6,300, approximately. Supervisor Hogan noted that she would like to discuss other options (we may have volunteers to do it for free); Supervisor Hogan – we’ll mull this over for a month; Mr. Gonyo – is a month cutting it too close? Amanda – we’ll work with you all regarding this; we want your Town to shine; Supervisor Hogan – we’ll take a look at it all.
- d. Youth Program – drainage mitigation project will not interfere with this program this summer; we’d like to move forward with the regular program; also would like to send the older kids to Minerva which has a swim program; \$100/child for swimming; both programs running at the same time would exceed the budget by \$2,000. Mr. Olesheski asked if we could do swim program only? All day program that will include swimming? We would need Counselors for both? Supervisor Hogan – yes; 5 at the Ski Bowl and 3 at Minerva; daily attendance here at the Ski Bowl – about 45 per day last year (per Supervisor Hogan); Mr. Olesheski – any chance for swimming only? Ms. Patton – working to find a swim director, not been able to fill that position; other organizations are having the same problem; Gurney Lane is not an option this year with gas/travel; Minerva has a heavy presence of younger kids; minimum of 25 or we won’t go through with program, with maximum of 35; has to keep the ratio of kids/counselors; numbers were down last year due to COVID; any other questions? Minerva has swim directors, we only have life guards.

RESOLUTION # 22 – 69

Mr. Stevens presented the Resolution and moved its passage with a Second Motion from Mr. Olesheski to appropriate \$2,000 for the Youth Program. With the following Town Board Members present voting in favor, the Resolution is declared carried. Ayes – 5 (Stevens, Arsenault, Gonyo, Hogan, Olesheski); Nays – 0

Need to put out ads for Counselors; where do ads go? Sun News.

RESOLUTION #22 – 70

Mr. Gonyo presented the Resolution and moved its passage with a Second Motion from Mr. Arsenault to approve the ad for Counselors for the Youth Program. With the following Town Board Members present voting in favor, the Resolution is declared carried. Ayes – 5 (Stevens, Arsenault, Gonyo, Hogan, Olesheski); Nays – 0

- e. Parks Department Seasonal Employee – ratify Mr. Olden hiring Mr. Cameron for summer help at \$15/hour; Mr. Gonyo – it’s already in the Budget? Supervisor Hogan – yes.

RESOLUTION # 22 – 71

Mr. Gonyo presented the Resolution and moved its passage with a Second Motion from Mr. Olesheski to approve the hiring for a seasonal employee for the Parks Department. With the following Town Board Members present voting in favor, the Resolution is declared carried. Ayes – 5 (Stevens, Arsenault, Gonyo, Hogan, Olesheski); Nays – 0

- f. Contract for Emergency Management of Senior Meal Site – discussion. Mail order food program, we did not want this; should this come forward again we need to have an agreement in place with the Office for The Aging for the Town to take over should this occur; running the meal plan is over \$130,000, hoping to not have to do this, but it's an important part of our Community; yes or no to draft a contract; just a discussion at this point; Meals on Wheels is very important, we're all going to be there eventually; if we have something in place, will the County help? Supervisor Hogan – we will negotiate with them; the County gets Grant money to pass on to us, it will be part of the contract; let's explore further.
- g. Pilot Program – Looking for a 15 year renewal of the affordable housing; previously there were questions; this is a discussion item and no decisions will be made at this time; Liberty Housing 501(c) 3; Mr. Gonyo – if it had been reviewed by our Attorney – it has been; is it valid – per our Attorney it is; Supervisor Hogan – it's a 501(c)3, why do they pay taxes; John – it's a tax credit project; Supervisor Hogan – we're connecting Liberty with the School and they will reach out to them; John – if the Town wants to share pilot with School and/or County – it can be done; Supervisor Hogan – the County is not interested, but we'd like to give the school an opportunity. Mr. Ashline – the land is owned by a fund company (not-for-profit), the sole Corporate; what is the % of ownership? Liberty is the sole owner of 0.1% Peaceful Valley Town Homes.
- h. Acceptance of Grant for the Connector Trail – very specific wording, Resolution states it all;

RESOLUTION # 22 - 72

Mr. Arsenault presented the Resolution and moved its passage with a Second Motion from Mr. Stevens to accept the Grant for the Connector Trail. With the following Town Board Members present voting in favor, the Resolution is declared carried. Ayes -5 (Stevens, Arsenault, Gonyo, Hogan, Olesheski); Nays – 0

- i. Occupancy Tax Recommendations and monies; numbers will change due to the distribution in June will be larger than anticipated, this is good news; have all reviewed? Any questions or concerns? Mr. Arsenault – signage for University Games – can we use Occ Tax money? Supervisor – yes very appropriate use of that money; Mr. Gonyo – Kiosk – we committed \$20,000 of Occ Tax money for this; committee asked for continuing a rolling basis. Most of the County allocations are unfortunately not up here; Mr. Holt - any chance the public can get a copy of that document – can we get a copy of that?

RESOLUTION # 22 – 73

Mr. Stevens presented the Resolution and moved its passage with a Second Motion from Mr. Gonyo to approve the Occupancy Tax recommendations. With the following Town Board Members present voting in favor, the Resolution is declared carried. Ayes – 5 (Stevens, Arsenault, Gonyo, Hogan, Olesheski); Nays – 0

Supervisor Hogan reviewed the dispersion of monies; Mr. Gonyo – Milk Cart, is it being carried over? Supervisor Hogan – yes. Ms. Sponable can we get money for the bandstand down by the river – could we look at that; Mr. Dunkley – don't think the Kiosk is needed and

it's a waste of money; Kiosks are outdated; saw 0 kiosks in a recent cross-country trip; it's on your phone, Google, etc. spending money on this is wasted dollars; would hope the Town would reconsider spending money on Kiosks, nice signs were more appropriate; Mr. Gonyo – we committed some funds for the bandstand, with COVID it was delayed and we need to re-visit it; \$1,800 – we could get it done with the donation of a few other materials; Ms. Nightingale – the stage is rock solid as is the staircase; it has all been rewired down there. I would not be hiring bands if it wasn't safe;

- j. Check for CPR class to be written the day of the class – looking for Board approval to take the CPR class from Highway and Parks; Mr. Olesheski – do we have an AED? Supervisor Hogan, I'm not sure, but I will check

RESOLUTION #22 - 74

Mr. Gonyo presented the Resolution and moved its passage with a Second Motion from Mr. Arsenault to approve check to be written he day of CPR training. With the following Town Board Members present voting in favor, the Resolution is declared carried. Ayes – 5 (Stevens, Arsenault, Gonyo, Hogan, Olesheski); Nays – 0

- k. Front Street MOU – all had a chance to look at it? Any questions or concerns? Mr. Olesheski – I did not see a Board packet e-mailed to me; this is tied together with ORDA trying to move their project forward; ORDA wants to meet within the next week re: septic system; so what I'm hearing is we're being rushed by ORDA again (Mr. Olesheski); one is relating to Parcel B and the Master Agreement; this was all negotiated back in 2005; Front Street believes the language in the contract was not worded/crafted correctly; we need to wait for the planning process; Mr. Olesheski, I'm OK with this part; Mr. Gonyo explained both MOU's;

RESOLUTION # 22 – 75

Mr. Olesheski presented the Resolution and moved its passage with a Second Motion from Mr. Gonyo to move forward with sending resolutions to Mr. Cricklier. With the following Town Board Members present voting in favor, the Resolution is declared carried. Ayes – 5 (Stevens, Arsenault, Gonyo, Hogan, Olesheski); Nays – 0
Supervisor Hogan explained what is being voted on per request from Mr. Fallon.

4. Committee Reports – none
5. Supervisor's Report – Supervisor Hogan asked if all had a chance to read the report and if there were any questions or concerns?

RESOLUTION # 22 - 76

Mr. Arsenault presented the Resolution and moved its passage with a Second Motion from Mr. Stevens to accept the Supervisor's Report. With the following Town Board Members present voting in favor, the Resolution is declared carried. Ayes – 5 (Stevens, Arsenault, Gonyo, Hogan, Olesheski); Nays – 0

6. Warrants – Supervisor Hogan asked if all had a chance to review the Warrants and if there were any concerns or questions? Mr. Gonyo noted he had not and would abstain.

RESOLUTION # 22 – 77

Mr. Stevens presented the Resolution and moved its passage with a Second Motion from Mr. Arsenault to approve the Warrants . With the following Town Board Members present voting in favor, the Resolution is declared carried. Ayes – 4 (Stevens, Arsenault, Gonyo, Hogan, Olesheski); Nays – 0; Mr. Gonyo – abstain

7. Privilege of the Floor:

Mr. Dunkley – Clarkson student presentation re: movement of buildings; what is the status of this? Mr. Arsenault – no update right now; there is a meeting coming up Thursday and Friday. Mr. Dunkley – are these meetings open to the public? Mr. Heidrich – I don't believe so; Mr. Dunkley – when would the public be able to talk about this; Mr. Arsenault – there's nothing secret about it, any time; Mr. Heidrich – we're not trying to hide anything; it's only a presentation; Mr. Dunkley – has the Clarkson group of the committee talked with any homeowners and/or fire companies? We keep hearing it's all conceptual; Supervisor Hogan noted that the students "made up" a name for their groups/engineers; it seems like it's all a secret; Mr. Gonyo tried to clarify that the Clarkson project has no funding, it's an exercise for the students; I understand your concern; the County is not on board with this; no activity will be happening. Ski Bowl Park Plan was vetted and committed on by this Board; I don't know any other way to say it, it's NOT really happening, we need to stop getting people riled up, it's not productive; Mr. Dunkley – we're wasting money; Mr. Olesheski – we haven't spent any money; if it does come back to the Board and I'm still on the Board, I will fight it the whole way. Mr. Amell – if it's not going anywhere, why is so much time being spent on it; Mr. Dunkley – when I started asking questions, I was told that the funding was grant funding; the Town has allowed this to get to this point, the Town has upset many people who have interests in their homes, their water, their environment, etc. I know how quickly proposed plans can go from nothing to it happening; Mr. Gonyo – I understand the unrest this has brought you and your neighbors; we've supported this endeavor through a public Board Meeting, it's a process for the students; Mr. Dunkley – it all has to be open and above board, landowners need to be notified, fire departments need to be notified; APA has zero jurisdiction over this; Mr. Gonyo – DEC would have; Mr. Olesheski what would it take for us to end this conversation; Supervisor Hogan – Joann will check on attending the Meeting on Thursday & Friday; Mr. Ashline – aren't parts of the Front Street development contingent upon moves happening; Mr. Olesheski – we are not in a position to play ball with Front Street, this is Parcel C; we're only working with Parcel B; Dan Walter – moving the Town Garage may be a project for Clarkson, but I met with David Cricklier in 2005 at my old property on Route 8 (now Jimmy McGee's) and discussed the move for over an hour; Supervisor Hogan – it has been discussed, but nothing has happened; Jim Williams – question for John from Peaceful Valley – what are you building and how do you justify the tax break (Supervisor Hogan – I will pass this message on); Deanna Wood – would hope that the University Games signs state "The Town of Johnsburg, Hamlet of North Creek"; and also asking about AirBnB's input for occupancy tax. Mr. Amell – move – other pieces of property have been "looked" at; I truly feel this is more than conceptual; I spoke to an individual that stated they are working on "grants" for this move; this brings back more concerns of safety and transparency; knock on doors and talk to people. Supervisor Hogan – we are listening to you all, we see the power of 500+ signatures; we cannot act tonight, we have to contact our attorney with the signatures brought to us; we've been told there is no legal pathway for the Board right now; we'll confer with our attorney; Ms. Sabattis – can we be in the meeting with the Attorney? Supervisor Hogan – no; Ms. Sabattis – why not? Our neighbors are counting on us to speak for them. Supervisor Hogan – we need to meet with our Attorney; Ms. Sabattis – our taxes pay for this attorney; Ms. Sponable – you said the same thing at the last Town Board Meeting – the Board doesn't have the power to halt this; the Assessor can do this, state you're not perfect, you'd like someone to look over these numbers, you have the power to step down Ms. Williams. Mr. Morris – the next step in this petition process is to have the Town Attorney review – Supervisor Hogan – our Attorney will have this information tonight.

8. Motion to Adjourn at 9:38 PM motion to adjourn the Regular Town Board Meeting:

RESOLUTION #22 – 78

Mr. Stevens presented the Resolution and moved its passage with a Second Motion from Mr. Gonyo to adjourn the Town Board Meeting at 9:38PM. With the following Town Board Members present voting in favor, the Resolution is declared carried. Ayes – 5 (Stevens, Arsenault, Gonyo, Olesheski, Hogan); Nays – 0.

Prepared by:



Jean M. Comstock
Town Clerk

***The Next Regular Town Board Meeting will be held
Tuesday May 17, 2022 at 7:00PM
At TPCC and via Zoom***