

TOWN OF JOHNSBURG
PUBLIC HEARING RE: LOCAL LAW #2-2023
TOWN BOARD MEETING
July 18, 2023 – 7:00PM

In Attendance: Mark Smith – Supervisor Justin Gonyo – Councilman
Arnold Stevens – Councilman Peter Hoskins – Councilman
Gene Arsenault – Councilman (via Zoom)
Joann Morehouse – Deputy Town Clerk

1. Pledge of Allegiance –
2. Public Hearing called to Order at 7:02PM – Supervisor Smith read the Local Law contents; stated this was part of a recommendation from the Audit; we are one of very few Towns that has a Clerk in a two-year term; a four-year term would make things more efficient for the Town and the Clerk; I'll open this up to public comment.
 - Mr. Heidrich – I am in favor of this change.
 - Mr. Heid – I am in favor of this change, it would make things more consistent and smoother.
 - Ms. Nettle – it's an efficient move; my only concern is that we need to make sure that the Clerk, whoever it is open and pleasant to all.
 - Mr. Konis – I think it's a great idea; will make it easier for the Town Clerk; 4-year term is excellent.
 - Mr. Ashine – it's a good idea both for the Town financially and easier on the Clerk.
 - Mr. Williams – only question/concern – to be more transparent and fair government, this could raise questions; if this had been done previously in another election cycle. The Local Law will not go into effect until after the November Election.
 - Supervisor Smith – close the Public Hearing.

RESOLUTION # 23 – 142

Mr. Stevens made a Motion to approve Local Law # 2-2023 and moved its passage with a Second Motion from Mr. Hoskins. With the following Board Members present voting in favor of the Resolution, it is carried. Ayes – 5 (Smith, Gonyo, Hoskins, Stevens, Arsenault); Nays – 0.

3. Regular Town Board Meeting to order at 7:10PM.
4. Approval of Minutes from June 20, 2023.

RESOLUTION # 23 - 143

Mr. Arsenault made a Motion to approve the June 20, 2023 Meeting Minutes and moved its passage with a Second Motion from Mr. Hoskins. With the following Board Members present voting in favor of the Resolution, it is carried. Ayes – 5 (Smith, Gonyo, Hoskins, Stevens, Arsenault); Nays – 0.

5. Town Board discussion re: Transfer Station.

Supervisor Smith, after reaching out to you each individually, we'll discuss as a Board; no Resolution needed at this time; the came out of the July 4th weekend with the Transfer Station being closed on 7/3/23; vacation/holiday policy for the attendant that is a little confusing to me; it should have been open; my thought is it needs to be open Saturday/Sunday/Monday from 9:00AM-5:00PM – it makes sense to be open all day especially with the short-term rentals being a concern with trash. Mr. Hoskins – I totally agree, we need to serve the public, 6 days a week if not 7. Mr. Gonyo – does that affect the Budget? Supervisor Smith – it should be OK, we could look at the impact of the Budget with it being open another 8 hours; it is a full-time position. Mr. Gonyo – anything we can do to make it more

convenient we should take that opportunity; we can go well beyond this. Supervisor Smith – I’m running some numbers now making some changes to the Transfer Station; Mr. Hoskins – Mr. Olesheski is working with his staff to make the coverage more flexible. Supervisor Smith – we are coming into Budget season. I’m hearing this is a good idea; Mr. Olesheski, he’s responsible for managing that labor, he’ll make it work. 9-5 for every Monday, with Thursday being the only day off? We’ll think about the day off. Mr. Hoskins – we should look at 7 days a week; Supervisor Smith – Mr. Hoskins you will talk to Mr. Olesheski? Mr. Hoskins – yes.

Exit Regular Town Board at 7:20PM

Convening as Board of Health at 7:21PM

6. Board of Health – re: discussion of 3673 State Route 28. Supervisor Smith – the Town has reached owner, he’s in the Service in Colorado; he had reached out to Mr. Mangan in May; tenants were supposed to have trash removed by 6/19/23, this has not been done; give another Notice of Violation; we can move to condemn that, all would need to be removed; owner will still be responsible for cleaning it up, but we can have them removed as “squatters”; the Sheriff’s office can go in and have them removed; Mr. Hoskins – how many days notice? Supervisor Smith -none with a condemnation; we’ll issue a Notice of Violation, start condemnation procedure; Town can clean up and bill the owner? Garbage may require hazmat suits to clean up – do not want to put our staff in this position; Mr. Arsenault – should the Health Officer be contacted? Supervisor Smith – I have a call and e-mail into him. Mr. Hoskins – so we hire a company to clean it up? Supervisor Smith – Joann please do a Resolution on the Floor for this. We’ll now close the Board of Health discussion.

RESOLUTION # 23 – 144

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

7. Supervisor Smith – moving back to the Regular Town Board Meeting – propose a floor Resolution sending the Owner of the property at 3673 State Route 28 another Order of Violation and an Action of Remedy and condemn the building and seek removal of the squatters if they are still there.

RESOLUTION # 23 – 145

Mr. Arsenault made a Motion to approve the Order of Violation and Action to Remedy, along with the condemnation of the building and removal of the squatters and moved its passage with a Second Motion from Mr. Hoskins. With the following Board Members present voting in favor of the Resolution, it is carried. Ayes – 5 (Smith, Gonyo, Hoskins, Stevens, Arsenault); Nays – 0.

8. Resolution to Amend Resolution #23-136. Supervisor Smith - Voucher amount submitted in error, just an accounting housekeeping issue. Mr. Gonyo – where is the \$50? Supervisor Smith – it may have been more, just going from memory. Mr. Hoskins – it’s about \$39. Mr. Gonyo – it’s \$40 on one line, but doesn’t add up from another line. Supervisor Smith – I did check on these numbers.

RESOLUTION # 23 – 146

Mr. Hoskins made a Motion to approve the Amendment to Resolution # 23-136 and moved its passage with a Second Motion from Mr. Arsenault. With the following Board Members present voting in favor of the Resolution, it is carried. Ayes – 5 (Smith, Gonyo, Hoskins, Stevens, Arsenault); Nays – 0.

9. Resolution to Pursue Grant for Reclamation of Sand Pit; Supervisor Smith – we’re looking forward to working on the Park; the sand reclamation is next to where we’re going to put the road, about 2 years before it’s finished; we’re looking at a grant to help reclaim the sand pit; Grant will need to come back to the Board for approval if any changes are done to Grant, also allows Town Supervisor to sign and approve all documents; there are some limitations to it.

Mr. Ashline – with the map that I have it will force the Town Highway to shut down; Supervisor Smith – nothing will interfere with the Highway Department. We may not accept this map; it will have to be reclaimed at some time, it’s at its end. Mr. Gonyo – this is just to reclaim the current land, not to buy land. Supervisor Smith – we cannot close this one until we have another one. Exploring possibilities for funding, we’ need to get out in front of it.

RESOLUTION # 23 - 147

Mr. Arsenault made a Motion to approve pursuing the Grant for the sand reclamation and moved its passage with a Second Motion from Mr. Hoskins. With the following Board Members present voting in favor of the Resolution, it is carried. Ayes – 5 (Smith, Gonyo, Hoskins, Stevens, Arsenault); Nays – 0.

- 10. Extend curfew for Waynestock on August 5 – 6, 2023 for Security Staff. Supervisor Smith – all in favor.

RESOLUTION # 23 – 148

Mr. Gonyo made a Motion to extend the curfew for Waynestock and moved its passage with a Second Motion from Mr. Hoskins. With the following Board Members present voting in favor of the Resolution, it is carried. Ayes – 5 (Smith, Gonyo, Hoskins, Stevens, Arsenault); Nays – 0.

- 11. Farmstead Catering, LLC to serve alcohol at a wedding at the Ski Bowl on September 27, 2023.

Supervisor Smith – we have a request to allow service of alcohol from a caterer at wedding reception, it’s a one-day event. Mr. Stevens – you will not get a Second Motion from me.

RESOLUTION # 23-149

Mr. Gonyo made a Motion to approve the service of alcohol at a one-day event at the Ski Bowl on September 27, 2023 and moved its passage with a Second Motion from Mr. Hoskins. With the following Board Members present voting in favor of the Resolution, it is carried. Ayes – 4 (Smith, Gonyo, Hoskins, Arsenault); Nays – 1 (Stevens).

- 12. Johnsburg’s History Days – Ms. Wood – it’s planned with four different groups – September 7, 2023 at the Rail Depot; gave a description of what will be planned. I just wanted you all to know what’s being planned.

- 13. Supervisor’s Report – Supervisor Smith – any questions or concerns, this is a true and accurate document to the best of my knowledge.

RESOLUTION # 23 – 150

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

- 14. Committee Reports – none at this time.

- 15. Warrants – Supervisor Smith – I went over these again this morning, to the best of my knowledge, these are correct.

GENERAL FUND:	\$ 75,077.23
HIGHWAY FUND:	\$ 144,108.27
SEWER DISTRICT:	\$ 3,516.00
LIBRARY FUND:	\$ 2,339.81
EMS	\$ 153,765.75
WATER DISTRICT:	\$ 10,097.93
TRUST & AGENCY:	<u>\$ 11,637.36</u>
TOTAL:	\$ 400,542.35

RESOLUTION # 23 – 151

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

16. Move to Executive Session – Supervisor Smith – I need a Motion to move to Executive Session to discuss a possible purchase of land AT 7:39PM.

RESOLUTION # 23 – 152

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

Supervisor Smith - No decision was made during Executive Session

17. Supervisor Smith – I'll take the heat on this one – a letter was sent to those within the Sewer District, it was poorly written, poorly planned and we're going to try again to work with those involved and work within their schedules.

18. Privilege of the Floor:

- Ms. Wood – having the Transfer Station open 7 days a week would be a benefit for the Town.
- Ms. Wood - Town Health Officer position needs to be looked at during the Budget Process.
- Ms. Wood - what has been done with the properties that were appraised?
- Ms. Wood - what is going on with the Water District, I haven't seen anything?
- Ms. Bowers – house that is being condemned, very violent and bad history of that house; use your best judgement; don't move from one unhealthy situation to another.
- Ms. Brown – I asked the Town for approval for the re-use shed; it's all paid for and it's been one disaster after another to get it down here; it's about a 2-1/2 hour drive – any ideas on how to get it here would be appreciated.
- Mr. Walters – re: culvert on Ridge Street – Supervisor Smith – we're not here to answer questions; you need to talk to Fred Comstock, I have talked to Fred; if it's not taken care of prior to paving I'll fill it up.
- Mr. Sleckman – asking about the pickleball courts? They are in need of repair, have holes and cracks in them; how do we reserve them? Others play in Minerva, Chestertown and this needs to be addressed so no one gets hurt. I recommend it be resurfaced as soon as possible.
- Mr. Ashline – re: the sand pit; I know the lines and the area, there's a huge berm of sand behind the mine; I've always been told we couldn't have Route 28 in sight; my point is why are we going to pay to have that removed, could possibly add 10 years to the pit, expand the pit rather than buying a new one; in the plans for the new park that berm is gone and there's a little league field; why would we buy land and we have some to use?
- Ms. Nettle – to address Bruce's question – we have investigated with the State to take down those berms; it is the responsibility of the Highway Department to close that mine; it is not Town Highway land it is park land and NYS wants to get rid of the non-recreational use and put a recreational use for it; if we don't use the berm sand and need to bring sand in it will be much more expensive.
- Ms. Konis – is it owned by two different entities or is it all owned by one. Supervisor Smith – it's the Town's.

19. Supervisor Smith asked for any further comments? Could we get a Motion to Adjourn at 7:57PM?

RESOLUTION # 23 - 153

Mr. Gonyo made a Motion to Adjourn the Town Board Meeting at 7:57PM and moved its passage with a Second Motion from Mr. Hoskins. With the following Board Members present voting in favor of the Resolution, it is carried. Ayes – 5 (Smith, Gonyo, Hoskins, Stevens, Arsenault); Nays – 0.

Prepared by:

Jean M. Comstock

Jean M. Comstock
Town Clerk

**THE NEXT TOWN BOARD MEETING WILL BE ON AUGUST 15, 2023 AT 7:00PM
AT TANNERY POND AND ON ZOOM**