

Town of Johnsburg
Town Board Meeting
January 17, 2023

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

Pledge of Allegiance led by Mr. Stevens

Supervisor Hogan thanked all for allowing Zoom meetings.

1. Public Hearing for the Fire Protection Contract called to order at 7:02PM. They are the same with a 2% increase. Any public input?
 - Mr. Donohue – how dare you get a contract ready for us without talking with us in over a year; we're 17 days into fighting fires, car accidents, furnace malfunctions; what if one of my firemen died at a scene; what this town has done is wrong; whether we disagree or not, it was always taken care of in November; it's not right and maybe a lawyer will need to be involved; to expect our volunteers get out there. Supervisor Hogan – we did drop the ball, we're human, we make mistakes, it's on us; you carry your own insurance; Mr. Donohue – all departments carry insurance, I'm referring to compensation; Mr. Gonyo – you and I spoke on January 3 and you raised this point and I agreed with you and said I would bring it back to the Board; I agree with your position; we need to do better and we will; Mr. Donohue – thank you; we have to accept it, we can't be without a contract.

Public Hearing closed at 7:07PM

2. Regular Meeting called to order at 7:08PM
3. Approve Minutes of the Organizational and Regular Meetings of the Town Board from January 3, 2023.

RESOLUTION # 23 – 20

Mr. Stevens made a Motion to approve and accept the Meeting Minutes from the Organizational Meeting and Regular Meeting of January 3, 2023 and moved its passage with a Second Motion from Mr. Hoskins. With the following Board Members present voting in favor the Resolution is carried Ayes – 5 (Gonyo, Stevens, Arsenault, Hoskins, Hogan); Nays – 0.

4. Old/New Business
 - a. Town Clerk read Resolution for Gretchen Millington and the Town Board signed.
 - b. Surplus equipment – list read by Superintendent Comstock – would like to put on Govdeals to sell; need some space in our shop; Mr. Gonyo asked about the poly water tank for 1995; Fred –this will go in the Sterling come summer; Supervisor Hogan – anything anyone else in Town could use? Fred – nothing for the Parks Department. Mr. Stevens – where do these

get placed? Fred – Govdeals.com, same as the County DPW uses; Mr. Stevens – items up for auction, no set price? Fred – we don't have to accept any bid prices if I don't feel it's a good price.

RESOLUTION # 23 – 18

Mr. Gonyo made a Motion to allow Superintendent Comstock to manage the sale of these items and moved its passage with a Second Motion from Mr. Arsenault. With the following Board Members present voting in favor the Resolution is carried Ayes – 5 (Gonyo, Stevens, Arsenault, Hoskins, Hogan); Nays – 0.

- c. Bluebird Lane/Bluebird Lane Extension – need approval for naming them for 911 addresses.

RESOLUTION # 23 - 19

Mr. Hoskins made a Motion to approve naming the private roads in the Town of Johnsbury – Bluebird Lane and Bluebird Lane Extension and moved its passage with a Second Motion from Mr. Gonyo. . With the following Board Members present voting in favor the Resolution is carried Ayes – 5 (Gonyo, Stevens, Arsenault, Hoskins, Hogan); Nays – 0.

- d. Lifeguard Training – last year Town paid for training; Mr. Olesheski – would like to do this again should the opportunity come up again; maybe some local training as well; not to exceed \$1,000.

RESOLUTION # 23 – 21

Mr. Stevens made a Motion to approve funds for Lifeguard Training, not to exceed \$1,000 and moved its passage with a Second Motion by Mr. Arsenault. With the following Board Members present voting in favor the Resolution is carried Ayes – 5 (Gonyo, Stevens, Arsenault, Hoskins, Hogan); Nays – 0.

- e. Ratify contract and approve payment to KPM – Supervisor Hogan – 255 Main sewage issues; two times - \$3,852 and \$2889 to a line to pay; owner sent check for ½ of original bill and he's asking us to hold off on further payments until he can see what it will cost him for all of the upgrades; from Fund Balance to Public Safety Line. JG/AS. Mr. Gonyo – it's important to note that this situation is still in flux and we need to clean up and take public health into consideration; moving forward it remains to be seen; we don't have anything to take care of this right now. Supervisor Hogan – this took up a lot of time recently, DEC, DOH, ... actions from Town and owner; expectation is that it cannot and will not happen again; we have a cooperative owner working with us; public health and safety was our main concern; it's been complex, the meeting today was very productive; we'll continue to have conversations with all; the door is not closed for the reimbursements of these costs. Any further discussion among the Board; all in favor.

RESOLUTION # 23 – 22

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

f. Local Law for First Responders – Mr. Gonyo - recap, this law was passed 12/15/22; several items needed to take place in a short period of time; we didn't know who was eligible for this at the 12/20/22 meeting; we didn't feel we had enough time to pull things together prior to the 3/1/23 deadline; Mr. Dunkley offered to help the Town through this process to meeting the deadline; AS and myself worked with the local departments; what would the shift of tax burden be? Those numbers have been completed for eligible members; we need to set a public hearing and have a local law prepared; we engaged with attorneys almost immediately, as of 11:30 this morning, there are several pieces that need to be decided upon for the attorneys to put the local law in place; Mr. Gonyo read the memo from the Town attorney; with that understanding of information, the window is closing on this; AH – also the folks that will need to be signed up; Mr. Gonyo – the fire departments offered to help with this; AH - \$647,000 shifted among the rest of the tax payers, about \$3.00 per person; \$45 off taxes, some more, some less; we can set a Public Hearing; who we want to extend this to, some other smaller details; we can move on this, but it won't allow us much time to get it done; I don't think it's enough money; as a Town we can do better; would like to see some more equitable resolution; Mr. Hoskins – it's not enough, retention, recruitment – it's inadequate; let's all take a look at what we can do. Can't do both State Tax and Local Law exemption; Mr. Gonyo – I'm willing to move forward with Mr. Stevens and Mr. Dunkley to get this going for next year; let's move forward with this until we can't, we need to show progress on this; the School would also have to pass this as well; per Town attorney, form a committee. Mr. Dunkley – I'm willing to work with you all and doing it this year; Mr. Stevens – I would agree with Mr. Gonyo – move forward and make progress; it doesn't seem like much, but it's something and we do have appreciation for our volunteers; Supervisor Hogan – no public hearing without a local law in place; you'll get in touch with the attorney and discuss our options; any thoughts? Mr. Hoskins – it appears that the law provides is very modest and work with that and maybe we as a Town can do better than that; Mr. Gonyo – I agree with Mr. Hoskins, 2 years being benchmark with 10%; all in agreement; Mr. Dunkley – the other part that is critical is 20 years being a life-time option and a widow, it's critical we do this now, this year as the spouse needs to be collecting this benefit for the widow to collect; we really need to get this done now; the full package approval in the State Law would be beneficial to the whole group; Mr. Gonyo – I agree, all parameters as written.

g. Superintendent Comstock – I have a driver leaving, I'd like to have my current wingman as the new driver; hiring from within; he'll be taking a place from a full time driver; will still need a call in wingman; Mr. Gonyo – payroll wise it's a wash; I'd like to bring him in on Monday; Supervisor Hogan – do we have to advertise this position; Mr. Comstock – I don't believe so when hiring from within. Supervisor Hogan – can the Personnel Committee look into the proper procedure.

RESOLUTION # 23 – 23

Mr. Arsenault made a Motion to approve the hiring of the driver and moved its passage with a Second Motion from Mr. Stevens with the understanding that the Personnel Committee will look into the process. With the following Board Members present voting in favor the Resolution is carried Ayes – 5 (Gonyo, Stevens, Arsenault, Hoskins, Hogan); Nays – 0.

- h. Appointments – Supervisor Hogan noted that we need to appoint a Health Officer and was waiting for a response from Dr. Rugge; has responded to appointment and we need approval of this appointment.

RESOLUTION # 23 – 24

Mr. Arsenault made a Motion to approve the appointment of Dr. Ruge as the Town Health Officer and moved its passage with a Second Motion from Mr. Hoskins. With the following Board Members present voting in favor the Resolution is carried Ayes – 5 (Gonyo, Stevens, Arsenault, Hoskins, Hogan); Nays – 0.

- i. Procurement Policy – Supervisor Hogan – we need to approve the added definition of Spending Limits and Authorization to Proceed – this came from the Town Bookkeeper; M. Gonyo does this Authorization to Proceed mirror anything that the County/State uses; Supervisor Hogan – it’s the same form we’ve been using; Mr. Hoskins – we’re not changing the policy just adding to it; Mr. Arsenault – who signs Authorization to Proceed? Supervisor Hogan – there is a limit for individuals and there is a list attached to the additions.

RESOLUTION # 23 – 25

Mr. Arsenault made a Motion to approve the addition of Spending Limits and Authorization to Proceed to the current Procurement Policy and moved its passage with a Second Motion from Mr. Hoskins. With the following Board Members present voting in favor the Resolution is carried Ayes – 5 (Gonyo, Stevens, Arsenault, Hoskins, Hogan); Nays – 0.

- j. Budget changes -Supervisor Hogan noted that the money to pay KPM needs to be moved to from Contingency to Public Health. Mr. Gonyo asked if it would be the full amount of \$6,741 and not the original \$2,700? Supervisor Hogan noted that change would be made.

RESOLUTION # 23 – 25

Mr. Stevens made a Motion to approve moving the \$6,741 from the Contingency to Public Health line and moved its passage with a Second Motion from Mr. Arsenault. With the following Board Members present voting in favor the Resolution is carried Ayes – 5 (Gonyo, Stevens, Arsenault, Hoskins, Hogan); Nays – 0.

- k. Employee increase – Mr. Olden advocates hard for his employee; Charlie goes above and beyond, can do many things and has stepped up, and this should be recognized with a raise from \$15.60 to \$15.75; we have gems with Danae and Joann – they work hard and do their research, asking for an additional \$1.00 per hour each. Mr. Gonyo asked if this represents a contractual pay raise? Supervisor Hogan noted that Charlie is a Civil Service Custodian; Mr. Hoskins asked why not do \$1.00 for all three across the board? Supervisor Hogan noted that we can revisit this another time.

RESOLUTION # 23 – 26

Mr. Arsenault made a Motion to approve all three increases as noted \$1.00 each for the Bookkeeper and Administrative Clerk and .15 for the Custodian and moved its passage with a Second Motion from Mr. Stevens. With the following Board Members present voting in favor the Resolution is carried Ayes – 5 (Gonyo, Stevens, Arsenault, Hoskins, Hogan); Nays – 0.

- l. Sidewalk discussion – Supervisor Hogan noted that over the years sidewalks have always been a discussion; maintenance other than in winter is a discussion for another day; buy a piece of equipment and invest in additional personnel; Local Law for each property owner to be responsible for their property; Mr. Hoskins – with it being mid-winter wouldn't need to change much now; Chestertown has a plan, might be worth taking a look at or at other models; in the meantime property owners are responsible; – I'd like to see us take care of it, need to drill that number down; if we choose to go with another model where each individual is responsible for their property, we need to have a mechanism where we take care of it and bill them accordingly; Supervisor – we don't need to reinvent the wheel; Mr. Arsenault – could Mr. Olesheski get an idea of cost; Mr. Stevens – Parks or Highway ? Mr. Hoskins – Parks, as they're not mowing right now and the Highway is busy with roads; Mr. Stevens – take into account the size of the sidewalk, elderly can't do it; Mr. Gonyo – let's get this in place for next winter.

- m. Sr. Center Lease – Supervisor Hogan noted that it is the same as last year; Mr. Gonyo asked what the certificate of insurance was that was attached to the Lease, does it go with this contract? Supervisor Hogan asked what is wrong with it? Mr. Gonyo – nothing wrong, there's nothing on it indicating what it's for. Supervisor Hogan– the County sent us this.

RESOLUTION # 23 – 27

Mr. Stevens made a Motion to approve and accept the Lease Contract between Warren County/Office for the Aging and moved its passage with a Second Motion from Mr. Hoskins. With the following Board Members present voting in favor the Resolution is carried Ayes – 5 (Gonyo, Stevens, Arsenault, Hoskins, Hogan); Nays – 0.

- n. Board Stipends – Supervisor Hogan - seemed like a good time to review – Zoning, BAR, Planning – BAR - \$50; zoning – volunteer with paid training; Planning is volunteer; Mr. Stevens – election officials? Supervisor Hogan – paid by the County; Mr. Gonyo – is there a particular deadline on this, I'd like to see something on paper? Supervisor Hogan – no deadline, we'll table and put on paper.

- o. TPCC Banners – Mindy Pruenninger – on Route 28 and Main Street; TC Murphy truck donated truck to remove banners from university games; Anna Bowers orchestrated with us on this – banners would stay up until June; approval for this from the Board; Mr. Gonyo – Business Alliance heading this? Supervisor Hogan asked if the businesses were paying for the banners? Ms. Pruenninger noted that yes the banners are being paid for, just asking for help putting them up.

RESOLUTION # 23 – 28

Mr. Hoskins made a Motion to allow the banners to be put up and moved its passage with a Second Motion from Mr. Gonyo. With the following Board Members present voting in favor the Resolution is carried Ayes – 5 (Gonyo, Stevens, Arsenault, Hoskins, Hogan); Nays – 0.

- 5. Move to Executive Session for the purpose of discussing employment of a particular individual.

RESOLUTION # 23 – 29

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

At 8:10PM the Board adjourned the Executive Session and no action was taken during this session.

RESOLUTION # 23 – 30

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

Regular Town Board Meeting resumed at 8:51PM.

6. Supervisor's Report – ended the year on a good note; we should all be pleased with this.

RESOLUTION # 23 – 31

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

7. Supervisor Hogan indicated that she will be resigning as of February 17, 2023 at 8:00AM. Supervisor Hogan wanted thank you all for the privilege to serve with you. Mr. Gonyo noted that we'll do just as we did with the open seat with the Board, we will be accepting letters of interest with a resume from any interested candidates until February 2, 2023; please send letters of interest and resume to Town Clerk by February 2, 2023; Town Board will discuss and make a decision if there is an appropriate candidate; the term is through 12/31/23; Mr. Stevens – the service she has given to our Town, moved us on many projects; we want to continue to keep moving forward; Mr. Gonyo - thank you Andrea for your service, Mr. Arsenault - I second that – we owe her a debt of gratitude to her and I appreciate her very much.
8. Committee Reports – Fire & EMS given updates with new law; no Solid Waste Committee meeting – working on WIFI at the transfer station; Mr. Hoskins – Parks & Rec – thank you for appointing Mr. Olesheski, a brilliant move; forming a renewed organization for the Friends of the Park in raising money; he's been a delight to work with thank you for appointing him; Supervisor Hogan – I will echo that, grateful to have Mr. Olesheski in that position; Mr. Hoskins – he's off to a great start already; Supervisor Hogan – he brings a lot of value to the Town; Mr. Gonyo – Highway – Mr. Hoskins and I met with Fred & Mike to discuss Streetscape; Fred is sourcing bids for concrete; two bids in waiting on a third; move on this as soon as weather allows; Mr. Hoskins – thank you Fred for your time; working on an employee performance evaluation, we'll work on developing that.
9. Warrants – Supervisor Hogan asked if all had reviewed and if there were any questions? Mr. Gonyo – KPM amount will need to be adjusted; Supervisor Hogan – accept Warrants as they are with addition of KPM bill?

RESOLUTION # 23 - 32

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

Abstract # 002 (2023)

GENERAL FUND	\$ 23,494.20
HIGHWAY FUND	\$ 8,000.00
LIBRARY FUND	\$ 372.90
FIRE PROTECTION DISTRICT	\$ 3,756.00
EMS	\$ 153,765.75
WATER DISTRICT	<u>\$ 2,559.57</u>
TOTAL	\$ 221,948.42

Abstract # 021 (2022)

GENERAL FUND	\$ 45,512.56
HIGHWAY FUND	\$ 94,435.76
LIBRARY FUND	\$ 3,420.50
WATER DISTRICT	<u>\$ 2,173.15</u>
TOTAL	\$ 145,541.97

10. Privilege of the Floor

- Mr. Nettle – exemption for volunteer fire fighters – State doesn't know what's happening in the world other than to give themselves a pay raise; minimum of \$200 stipend per member including EMS; start it right off; don't worry about two years of service; some of us who had been in, never got anything; stipend into the budget for fire protection and EMS; this is definitely needed; we have six fire organizations in this Town; some never go out to fight a fire, that doesn't mean there is no training or meetings that they go to; the only one benefitting from this are the insurance companies; all the volunteers are really good; sidewalks – we talked about this a couple of weeks ago; the plows come down through and push the snow on the sidewalks, if the landowner has to clean up their sidewalks, they are essentially picking up the snow that was just pushed on their sidewalks from either the State or the County; that's just something to think about.
- Mr. Williams – lifeguard training, totally in support, but holding a teenager responsible for two years is a little much; I'd be more in favor of paying for training at the end of the year after their employment; Local Law for first responders, no decisions made, Mr. Gonyo you agreed with the what the State is initiating, do you have enough support from the Board? AH – yes, what is most beneficial; sidewalks – let's not put this on the homeowners, can't be enforced, something that the Town needs to take on and show them how Johnsburg does winter. Septic clean up – revised bill, is there a limit on what the Town is willing to pay? Is this going to be a blank check? Mr. Gonyo – no blank check, we will do what we have to do to ensure the health of the public; notice to homeowner addressing issues he needs to take care of, steeper penalties will be enforced if needed.
- Ms. Konis – as far as the sidewalks go, there is a beautiful mosaic project that all have done; we have nowhere to put the snow in our area; no alternate parking on the streets so all can remove their snow; the County leaves towers of snow on the sidewalks that no one can get over; training for life guards, come up with something else, can't have a legal agreement under the age of 18; sewer system – this has been going on way past the last two weeks, it's been two weeks of calling the DOH, DEC, County – no one knew anything about it; not one person from the Board, except Mr. Gonyo, no Supervisor; finally the Zoning Officer; stepping

over the sewage, walking in it, it seemed like no one cared, except Mr. Gonyo; constantly calling to have it fixed; where are you as a Town Board helping the community; insult to injury, paying for the removal of it; bill the home owner; it's been over three years with this guy; you all have to wake up, you represent us, help us out here; then there's the University games, thank you Mr. Gonyo for representing the Town, thank you Mr. Gonyo; where is the Town; we needed a reassessment, the Town was broke, we're adding more people, giving raises to more people, where did this money come from; we elected you to represent us;

- Ms. Nettle – I'm sure living above a stream of "crap" is not fun. The property owner needs to be held accountable; no one here wants to pay his bill for his negligence; I understand the need to work with him to keep those folks housed. I know some of you don't feel the same way I do, it's a blow to lose Supervisor Hogan at this time; I think that the anger that came up from the re-val has not allowed you all to see what Andrea's done over the last six years; she rolled up her sleeves and worked on getting things done; she's gotten a lot of funding, she should be commended for that; it will be difficult to find someone to do all the funding; thank you Andrea for your efforts, I for one will miss you.
- Mr. Volcheck – Ms. Konis, you've covered it all. I've supported Supervisor Hogan in the past; there are highs and lows and decisions you'll regret; I wish you the best in every endeavor moving forward, thank you for your service. This home owner is liable for this, there is some compassion and that is appreciated; he needs to be held accountable, we cannot be held liable, moving forward, no negotiations. Hold him completely liable.

11. Motion to Adjourn

RESOLUTION # 23 – 33

Mr. Gonyo made a Motion to adjourn the Regular Town Board Meeting at 9:29PM and moved its passage with a Second Motion from Mr. Hoskins. With the following Board Members present voting in favor the Resolution is carried Ayes – 5 (Gonyo, Stevens, Arsenault, Hoskins, Hogan); Nays – 0.

Prepared by:

Jean M. Comstock
Town Clerk

**NEXT REGULAR TOWN BOARD MEETING WILL BE FEBRUARY 7, 2023
AT 7:00PM AT TANNERY POND AND VIA ZOOM**