 Johnstown Common Council

Business Meeting

Council Chambers, City Hall

Monday, March 20, 2023 @ 6:00 p.m.

**MINUTES**

This meeting was broadcast using Facebook Live. The public was able to view the meeting from the official City of Johnstown Facebook page: City of Johnstown, New York

The proceedings of this meeting were taped for the benefit of the City Clerk; the minutes are not a verbatim record of the proceedings, therefore the minutes are not a word-for-word transcript.

CALL MEETING TO ORDER / PLEDGE OF ALLEGIANCE – Amy Praught, Mayor

ROLL CALL OF COUNCIL – Carrie M. Allen, City Clerk

IN ATTENDANCE:

|  |  |
| --- | --- |
| [x] Amy Praught, Mayor | [x] Thomas Herr, City Treasurer |
| [x] Scott Jeffers, Council Member-at-Large  | [ ] Michael M. Albanese, City Attorney  |
| [x] Bradley Hayner, Council Member Ward 1 | [x] Carrie M. Allen, City Clerk |
| [x] Scott Miller, Council Member Ward 2 | [x] Bruce Heberer, Fire Chief |
| [x] Eric Parker, Council Member Ward 3 | [x] David F. Gilbo, Chief of Police |
| [x] Max Spritzer, Council Member Ward 4 | [x] Christopher J. Vose, City Engineer[ ] Diedrie M. Roemer, Director, Senior Citizens Program[x] Jay Girvin, Labor Attorney |

ABSENT – Michael Albanese, Diedrie Roemer

PUBLIC SESSION – N/A

PRESENTATIONS – N/A

PUBLIC HEARINGS – N/A

PROCLAMATION – New York Insurance Week; April 23-30, 2023

APPROVE MINUTES

* February 21, 2023

Motion to approve – Council Spritzer

Seconded – Council Member Miller

Discussion: None

Ayes: 5

Noes: 0

Absent: 0

Abstain: 0

APPROVE CLAIMS AND ACCOUNTS

* Motion to approve, upon review – Council Member Parker

Seconded – Council Member Hayner

Discussion: None

Ayes: 5

Noes: 0

Absent: 0

Abstain: 0

REPORTS FROM CITY DEPARTMENTS

* Reports are attached hereto and made part of the meeting minutes.

Chief Gilbo:

* Parker asked about hiring new officers. Gilbo stated academies have already started, looking to have officer at academy in June.
* Parker questioned status of School Resource Officer. Gilbo said that he hear the Board passed on their end, he’ll need to get together with Labor Attorney as to contract with the school.
* Spritzer asked if parking ban is still in force or if it will be lifted, police dept. is not lifting prior to April 1st.

Treasurer Herr:

* Spritzer asked where we are on bonding. Herr said they are working on every day. They have to recreate 2 years of financial records.
* Parker mentioned that the water funds are now in an interest bearing account that is earning more than a penny a day.

Christopher Vose:

* Parker mentioned DPW doing a great job this winter.
* Spritzer asked when the asphalt factories open and the fact the streets are a mess. Vose stated he believes it will be sometime in April. Spritzer asked if the company that did the gas lines are responsible for fixing the streets. Vose confirmed, and that he has been in touch with National Grid.
* Parker wanted to know when CHIPs money comes out. Vose stated its not until after the State budget has been finalized. He has been given information that there has been no major changes and looking to receive similar funding as last year.

Bruce Heberer:

* Spritzer confirmed with Heberer that if someone needs help with battery installation for fire detectors they could just call the department.
* Spritzer asked if training was complete on new pumper. Heberer confirmed and that is was on the road and everything going well.

REPORTS FROM COUNCIL LIAISONS

* Eric Parker; Joint Sewer Board
* 2022 Annual Report published
* Authorized purchase for a used pick up truck
* Working with Fage and Euphrates on a new Whey Agreement
* Have hired a Wastewater Treatment Plant Operator Trainee and Attendant
* Passed a resolution to transfer excess funds from Digester Phase Capital project to offset annual bond payments to pay debt down
* April 5th for budget committee to review 2023 rate structure for sewer

Mayor asked about the sludge dryer grant which was applied for but not received. She asked if they would be reapplying. Vose stated that they were and will also look at other funding sources.

Miller asked if the potential agreement with Fonda and Amsterdam would just be with the dryer not to take their sludge. Vose stated that a feasibility study would be done regarding the sludge, it would potentially help the sewer plant with other funding applications; more intermunicipal cooperation. Miller wanted confirmation that we would not be taking their sludge unless we had the sludge dryer. Vose said that the Council would have the final say on that.

* Scott Jeffers, Planning Board
* Public Hearing for Popeye’s. Christine VanValkenburgh had drainage concerns which were addressed by the applicant. Popeye’s Site Plan was approved.
* Second Wind Coffee proposed moving to new location. Public Hearing is scheduled for April 4th
* Scott Miller, Assessor
* Office is working on the 2023 Roll

LOCAL LAW – N/A

ORDINANCE – N/A

MAYORAL APPOINTMENTS

* Planning Board – Peter Smith, Chandra Cotter
* Zoning Board of Appeals – Pamela Hammer, Robert Gallt

RESOLUTIONS

|  |  |
| --- | --- |
| 20. | Adopt Rules and Regulations of the Common Council for 2023 |
|  | Presented by Councilmember  | Hayner | Seconded by Councilmember  | Spritzer |
|  | Discussion: Miller questioned rule 16 regarding standing for any motion. He feels they should be abiding by the rules. He stated that the rules look great. |
|  | Ayes: 5 |  |  |
|  | Noes: 0 |  |  |
|  | Absent: 0 Abstain: 0 |  |  |
|  |  |  |  |
| 21. | Advertise surplus / obsolete vehicles and equipment for bid |
|  | Presented by Councilmember | Miller | Seconded by Councilmember  | Jeffers  |
|  | Discussion: Parker asked Vose if he felt there was a market for the items. Vose feels that there is, especially with the old sewer jet. Miller asked what happens to items not bid. Vose said the items would be scrapped. |
|  | Ayes: 5 |
|  | Noes: 0 |
|  | Absent: 0 Abstain: 0 |
|  |  |
| 22. | Contract with Arcadis for ongoing site management work at the former Karg Bros. Tannery |
|  | Presented by Councilmember  | Parker | Seconded by Councilmember | Hayner |
|  | Discussion: None |
|  | Ayes: 5 |  |  |
|  | Noes: 0 |  |  |
|  | Absent: 0 Abstain: 0 |  |  |

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| 23. | Authorize Treasurer to collect tax levy, per 2023 Tax Warrant |
|  | Presented by Councilmember  | Spritzer | Seconded by Councilmember  | Jeffers |
|  | Discussion: None |
|  | Ayes: 5 |  |  |
|  | Noes: 0 |  |  |
|  | Absent: 0 Abstain: 0 |  |  |

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| 24. | Accept offer for city owned property at 115 N. Perry Street |
|  | Presented by Councilmember  | Jeffers | Seconded by Councilmember  | Hayner |
|  | Discussion: Parker commented that the property is only 1/10th of an acre. Miller asked if the properties were from tax auction. Clerk stated the properties being presented for approval were from 2008 and 2011. Miller asked how that works with the Charter and receiving fair market value. Mayor responded that we don’t need to receive fair market value if the Council sees making money from selling property. This was disgusted prior with 237 N. Perry Street. #1 don’t have to accept highest bid and #2 don’t have to fair market value on property. |
|  | Ayes: 4 |  |  |
|  | Noes: 1 (Miller) |  |  |
|  | Absent: 0 Abstain: 0 |  |  |
|  |  |  |  |
| 25. | Accept offer for city owned property at 319 N. Perry Street |
|  | Presented by Councilmember | Hayner | Seconded by Councilmember  | Parker |
|  | Discussion: Parker stated this is a vacant lot next door to Thompson’s garage. |
|  | Ayes: 4 |
|  | Noes: 1 (Miller) |
|  | Absent: 0 Abstain: 0 |
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| 26. | Reject bids for the Cork Center Reservoir Dam, Phase II, Valve Replacement Project |
|  | Presented by Councilmember  | Miller | Seconded by Councilmember | Hayner |
|  | Discussion: Miller confirmed with Vose that we were going back out to bid. |
|  | Ayes: 5 |  |  |
|  | Noes: 0 |  |  |
|  | Absent: 0 Abstain: 0 |  |  |

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| 27. | Authorize Agreement with Continental Utility Solutions, Inc. to provide utility billing services for 2023 |
|  | Presented by Councilmember  | Parker | Seconded by Councilmember  | Jeffers |
|  | Discussion: Parker confirmed with Mayor that this was for the meter project. |
|  | Ayes: 5 |  |  |
|  | Noes: 0 |  |  |
|  | Absent: 0 Abstain: 0 |  |  |

ANNOUNCEMENTS

1. Saturday, April 1st – Easter Egg Hunt in the Park @ 10:00 am
2. Friday, April 7th – Good Friday, city offices close @ noon
3. Business Meeting – Monday, April 17th @ 6pm

DISCUSSION – N/A

EXECUTIVE SESSION

* Council Member at Large Jeffers made a motion to enter in to executive session at 6:24 p.m. for the purpose of discussion of proposed, pending and current litigation.

Seconded – Council Member Hayner

Discussion: None

Ayes: 5

Noes: 0

Absent: 0

Abstain: 0

No action was taken during executive session.

* Council Member Spritzer made a motion to come out of executive session at 7:09 p.m.

Seconded – Council Member Hayner

Discussion - None

Ayes: 5

Noes: 0

Absent: 0

Abstain: 0

MOTION TO ADJOURN at 7:10 p.m.

* Council Member Hayner

Seconded – Council Member

Discussion: None

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| Ayes: 5 |
| Noes: 0 |
| Absent: 0 Abstain: 0 |
|  |

Respectfully submitted,



Carrie M. Allen, City Clerk