 Johnstown Common Council

Business Meeting - Council Chambers, City Hall

Monday, March 21, 2022 @ 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  | [x] Michael J. Poulin, 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[x] Diedrie M. Roemer, Director, Senior Citizens Program |

ABSENT – N/A

PUBLIC SESSION

* Joe Pazzaglia of Pazzaglia’s Kenpo Karate presented the Council with information regarding his cause to help with the Humanitarian Crisis in Ukraine; collecting medical supplies, ready to eat meals, bottled water, etc.
* John Sagan of Linden Avenue spoke regarding a March 10th article in the Leader Herald regarding the City not responding to a negative audit filed by the Comptroller’s Office. Treasurer never addressed corrective action plans following a recent audit. Audit criticized city for not keeping accurate accounting records and not having adequate IT system controls in place, as well as annual reports for years 2018-2020 were not filed. He feels this is dereliction of duty and breech of public trust of the Treasurer’s office. He feels there is no ongoing accountability. Treasurer is accountable to voters, which happens once every four years. In the meantime the city is at mercy to whomever occupies that office to perform the duties required of that office. A lot can happen in four years, and that is exactly what has happened. He would like the Mayor and Council to consider making the position an appointed position rather than an elected.

PRESENTATIONS – N/A

PUBLIC HEARING – N/A

APPROVE MINUTES

* February 22, 2022

Motion to approve – Council Member Hayner

Seconded – Council Member Spritzer

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.

Discussion:

* + Eric Parker addressed Chris Vose about potholes – Vose stated that when the garbage truck makes rounds in the city they’ll give a report as to what they see. A lot of the issues can’t be fixed until the plants open. They do use cold patch but it doesn’t last.
	+ Max Spritzer addressed issue at Knox field regarding large crowds of belligerent teens and if they could have patrols within the gates – Gilbo said the school is private property and can’t patrol private property. But if there is an issue the police should be called while it’s happening, they can’t do anything after the fact. He will put out a memo to be proactive to the situation.
	+ Max Spritzer confirmed that parking ban has been suspended – Gilbo stated that it has been suspended, not lifted in case of inclement weather.
	+ Max Spritzer asked when the new Durangos would be in service – Gilbo said he is waiting on light bars, getting wired for computers and mounting weapons. He’ll be going next week to hopefully see one of the vehicles completed.
	+ Eric Parker asked Tom Herr about status of AUDs – Herr was hoping to have 2019 done but ran into some issues. Confirmed that the fund balance was up, sales tax is up beyond what was projected.

REPORTS FROM COUNCIL LIAISONS

* Eric Parker; Water Dept.
	+ Discussed finances – in last 30 days deposited almost $500,000
	+ No new projects discussed
	+ Now that pandemic is over, they can begin going after people that have not paid their water bills in last 5 cycles. They will go back to policy that if 45 days after deadline water bill has not been paid will be subject to shutoff.
* Bradley Hayner; Joint Sewer Board
	+ Authorized purchase of cargo van for monitoring department
	+ Authorized bidding for potassium permanganate
* Bruce Heberer, Planning Board
	+ Steet Toyota – presented plans for an addition to the existing building. Project needs to go to before County for approval and a Public Hearing is scheduled at the next Planning Board meeting set for April 5th.
	+ Comprehensive Plan – discussion was had as to revisions that should be made to existing Plan; Council will be presented with recommendations in near future.

LOCAL LAW – N/A

ORDINANCE – N/A

MAYORAL APPOINTMENTS – N/A

RESOLUTIONS

|  |  |
| --- | --- |
| 32. | Agreement with Twinstate Technologies to provide temporary on-call support for telephone and / or computer related issues. |
|  | Presented by Councilmember  | Hayner | Seconded by Councilmember  | Jeffers |
|  | Discussion: Miller asked if rates are now included in the Contract. Mayor confirmed same. |
|  | Ayes: 5 |  |  |
|  | Noes: 0 |  |  |
|  | Absent: 0  |  |  |
|  | Abstain: 0 |  |  |

|  |  |
| --- | --- |
| 33. | Authorize a shared services Agreement with New York State Department of Transportation to assist in the maintenance of state and municipal roads. |
|  | Presented by Councilmember  | Miller | Seconded by Councilmember  | Hayner |
|  | Discussion: Parker asked what the purpose of this was for. Vose responded that there are 3 state roads that run through our municipality. State likes to keep on file in case of an emergency or unforeseen damage; allows to tap in to one another’s work force, material, or equipment. |
|  | Ayes: 5 |  |  |
|  | Noes: 0 |  |  |
|  | Absent: 0  |  |  |
|  | Abstain: 0 |  |  |
| 34. | Retain Arcadis to perform continued consulting support and 2022 compliance monitoring of the closed Johnstown Landfill. |
|  | Presented by Councilmember  | Parker | Seconded by Councilmember  | Miller |
|  | Discussion: Spritzer asked if everything was the same year to year. Vose stated that there are 4 quarterly inspections and 2 semiannual sampling events. Ron Peters from CRG is exploring options to potentially bring down some of the costs. The landfill no longer effects any of the drinking water. Miller asked if we are watching the costs charged by Arcadis; is there a significant difference from say 2 years ago for the same scope of work. Vose stated there is nothing extraordinary, on par with prior years. |
|  | Ayes: 5 |  |  |
|  | Noes: 0 |  |  |
|  | Absent: 0  |  |  |
|  | Abstain: 0 |  |  |
| 35. | Authorize an Agreement with the County of Fulton for reimbursement for the Johnstown Fire Department to provide ambulance services for residents of Fulton County. |
|  | Presented by Councilmember  | Spritzer | Seconded by Councilmember  | Parker |
|  | Discussion: Spritzer wanted clarification from Chief Heberer that the City will continue to only have one ambulance. Heberer said nothing will change as to our response. Our agreement is more of a mutual aid agreement as we are the 3rd in line for response. Also asked for clarification as to zones covered and rates. |
|  | Ayes: 5 |  |  |
|  | Noes: 0 |  |  |
|  | Absent: 0  |  |  |
|  | Abstain: 0 |  |  |
| 36. | Authorize amendment to Employee Handbook; Compensatory Time |
|  | Presented by Councilmember  | Jeffers | Seconded by Councilmember  | Hayner |
|  | Discussion: Parker asked if there wasn’t a cap on time prior. Mayor confirmed same. Miller asked if nonexempt employees were included. Mayor stated that included all department heads, secretaries, all non-union employees. Miller said there is a difference between exempt and nonexempt. Mayor said that its for exempt and nonexempt. Miller asked if we were going to start paying them overtime, Mayor said they currently do receive overtime; Miller was unaware of that. |
|  | Ayes: 4 |  |  |
|  | Noes: 1 (Miller) |  |  |
|  | Absent: 0  |  |  |
|  | Abstain: 0 |  |  |
| 37. | Authorize amendment to Employee Handbook; Overtime |
|  | Presented by Councilmember  | Hayner | Seconded by Councilmember  | Parker |
|  | Discussion: Parker confirmed that overtime would take place after 40 hours and 8 hours a day. Mayor confirmed same. |
|  | Ayes: 4 |  |  |
|  | Noes: 1 (Miller) |  |  |
|  | Absent: 0  |  |  |
|  | Abstain: 0 |  |  |
| 38. | Execute a Memorandum of Agreement with the City of Johnstown CSEA Unit to amend Laborer 1 and 2 positions |
|  | Presented by Councilmember  | Miller | Seconded by Councilmember  | Jeffers |
|  | Discussion: Parker asked Vose to clarify what this was about. The city has basically priced its self out of the job market for entry level positions. There are 3 laborer steps, Vose would like to eliminate the Laborer 1 and 2 positions and keep the Laborer 3 position to remain competitive with other jobs. Says that fast food workers currently start out at more money. Jeffers asked if the was having trouble finding people to take the current positions, Vose stated that he’s had good candidates that have refused job because of pay. |
|  | Ayes: 5 |  |  |
|  | Noes: 0 |  |  |
|  | Absent: 0  |  |  |
|  | Abstain: 0 |  |  |
| 39. | Authorize an Intermunicipal Agreement for a Joint Special Weapons and Tactics Team |
|  | Presented by Councilmember  | Parker | Seconded by Councilmember  | Spritzer |
|  | Discussion: |
|  | Ayes: 5 |  |  |
|  | Noes: 0 |  |  |
|  | Absent: 0  |  |  |
|  | Abstain: 0 |  |  |
| 40. | 2022 Budget Transfer |
|  | Presented by Councilmember  | Spritzer | Seconded by Councilmember  | Hayner |
|  | Discussion: Vose stated the dump body was taken out of the bond and put in the budget. Price didn’t include some of the retrofit that needed to be done, so this is to cover the difference. |
|  | Ayes: 5 |  |  |
|  | Noes: 0 |  |  |
|  | Absent: 0  |  |  |
|  | Abstain: 0 |  |  |

DISCUSSION

* Parker thanked the crews for snow removal this past year. Vose stated a few things could have been done better, and will make changes. He thanked the crew for the work they’ve done; not a glorified job to drive a plow truck at 2 in the morning.
* Chief Heberer – burn ban went in to effect March 16th – May 15th. This is for anyone even if you have a burn permit (fire pits).

ANNOUNCEMENTS

1. Business Meeting – Monday, April 18th @ 6:00 p.m.
2. Mayor acknowledged March as Women’s History Month

EXECUTIVE SESSION

* Council Member at Large Jeffers made a motion to enter in to executive session at 6:49 p.m. for the purpose of discussion of proposed, pending and current litigation.

Seconded – Council Member Spritzer

Discussion: None

Ayes: 5

Noes: 0

Absent: 0

Abstain: 0

No action was taken during executive session.

* Council Member Hayner made a motion to come out of executive session at 7:42 p.m.

Seconded – Council Member Miller

Discussion - None

Ayes: 5

Noes: 0

Absent: 0

Abstain: 0

MOTION TO ADJOURN at 7:42 p.m.

* Council Member Hayner

Seconded – Council Member Miller

Discussion: None

Ayes: 5

Noes: 0

Absent: 0

Abstain: 0

Respectfully submitted,



Carrie M. Allen, City Clerk