

A Business Meeting of the Johnstown Common Council was held on July 20, 2015 at 7:00 p.m. in the Council Chambers, City Hall.

PRESENT:

Michael B. Julius	:Mayor
Christopher Swatt	:Council Member-at-Large
Kathi Iannotti	:Council Member
Cynthia Lakata	:Council Member
Helen Martin	:Council Member
Bruce Heberer	:Fire Chief
Andrew Brecka	:Police Patrolman
Chris Vose	:City Engineer
Erica Wing	Library Director
Mary Jo Smith	:Deputy City Clerk

ABSENT:

Edwin Queeney	Council Member
Cathy A. VanAlstyne	:City Clerk
Michelle Jones	:Senior Center Director
Frank Parker	:City Assessor
Michael Gifford	City Treasurer
Brett Preston	City Attorney

Mayor Julius called the meeting to order and led in reciting the Pledge of Allegiance.

ROLL CALL- All Council members present, except Edwin Queeney.

PUBLIC SPEAKERS- Andrea Fettingner, Director of the Fulton County Office for the Aging, gave a presentation about transportation for county residents over the age of 60. She explained the process. First, any interested resident is seen by an OFA staff person for a review of the home so OFA is sure the resident can get in and out of the home and bus safely. There is also a yearly review. She said her office transports people to any location in the county Monday through Friday from 8:00 a.m. to 4:30 p.m. The OFA is committed from 8:00 to 8:30 a.m. to the Adult Day Care run by the Senior Center. The rest of the day is available for the rest of the community. There is no charge for the service, but they do accept a donation of \$3.00 per ride. The program receives state and federal funding. She reported that there are people from Trakside who utilize the service. She added, however, that there are residents at Trakside who are not over 60, so they could not use the OFA transportation. She said those individuals probably would benefit if other public transportation were able to go there once or twice a day. She supplied the Council with the brochure which delineates the eligibility criteria. The Council was encouraged to call her office if there were further questions, and to also refer people for the service. She added that once a month a person from her office goes to Trakside to offer outreach.

Robyn Guzilek, who is building a home at 157 Co Hwy 131, stated she had notified the City that she and her husband would like to have water hookup to the water line that comes from the reservoir. She explained that her neighbor on one side is connected to the water line, but the other has well water which concerns her because of the sulfur. She distributed maps of her property showing where the easement is to the water line. She also asked that a decision be made as soon as possible since they are in the process of building right now. The Mayor asked if this area was in the permissive use zone. Engineer Vose replied that it is not. Council Member Lakata asked if Ms. Guzilek was aware that their property was not in the permissive use zone. She replied that they did not until after they began building. Mayor Julius said that no decision could be made at the meeting, and the City would have to get back to her.

PUBLIC HEARING-The Mayor invited the public to make comments on the St. John's Church grant application. Fred Krone introduced himself as being with GEMS, the company working with the church on their project, and that he was attending the meeting to answer any questions. Then Nick Zabawsky came forward to speak. He indicated that some people have been concerned about the Constitution's rules of separation of church and state. He said that the federal government can not give money unless it is tracked. The funds can not go to anything for the church's religious activities such as renovations of the church. He stated that only money that goes into the Church's social activities can be funded. Additionally, the money that comes for the soup kitchen can only be used for that. In other words, he explained, you can't use a room as a soup kitchen on Monday through Friday and then a Sunday School class on Sunday. No church administrative offices can be funded with this grant. There will be an agreement that tracks the sources and uses of the funds. Later, the Church will have to track the actual use of the money. He also gave an example of what is allowed. If a client wants to say a personal prayer before a meal, that is fine. However, someone else from the church can not lead the group in a prayer or Bible reading. Religious and social service activities need to be separated. He further explained that in the agreement between the City and the Church, the city will be indemnified against any responsibilities like someone falling on the steps. The Church understands that is their liability. Mr. Krone had a packet of information showing all that the church is proposing. Mr. Zabawsky also wanted to add another point about the project. Since there will be federal dollars involved, there will be a designated labor compliance officer to make sure the prevailing wage rate, potentially union scale, for workers is followed. Council- Member-at-Large Swatt

commented that some city residents have been concerned about the former Y building being used as a shelter. Rev. Laurie Garramone, Rector of St. John's, addressed this issue next. She indicated that she has spoken to the Red Cross about the possibility of a disaster shelter, and about training a team of people, who are not even necessarily parishioners, to be part of a disaster- ready team in case there is a major disaster. She said they are not looking to become any kind of long-term shelter. Council Member Martin asked if there will be any type of oversight committee within the church to monitor the project. Rev. Garramone responded in the affirmative, and further explained that their church has already raised \$500,000 which is earmarked for renovations specifically for the historical church building. She said this grant has nothing to do with work to be done on the church. Council Member Martin asked how much the City Treasurer will have to do with this project. Mr. Zabawsky said that ultimately the City's chief financial officer is responsible for overseeing all of the funds. He indicated he has already had several discussions with City Treasurer Gifford about this. However, Mr. Zabawsky will be responsible for the federal and state reporting as he has done with projects, like Fage, in the past. He will also be in touch with the church to make sure all the proper documentation is done. Rev. Garramone wanted to add the following information: last year there were 7,740 meals served in the church and 20,160 meals were distributed in the community. Council Member-at-Large Swatt announced that he thought the proposal was a great one for the use of the building and for the whole community.

APPROVE MINUTES- The minutes of the June 15, 2015 Business Meeting were approved with a motion from Council Member Martin and seconded by Council Member Iannotti. Motion carried.

CLAIMS AND ACCOUNTS- Council Member Iannotti moved to pay the bills for the general audit and place on file with a second from Council Member-at-Large Swatt. Motion carried. Council Member Iannotti moved to pay the bills for the housing audit and place on file. Motion was seconded by Council Member-at-Large Swatt. Motion carried.

LIASONS' REPORTS

POLICE DEPARTMENT- Council Member Lakata reported that in June there were 689 calls for service, 23 arrests were made, 36 traffic tickets and 4 parking tickets issued, and there were 24 traffic accident investigations.

FIRE DEPARTMENT-Council Member Lakata said the Fire Department continued in- service training on basic fire fighting skills and search and rescue techniques in June. The Codes Division conducted a commercial plan review related to New York State fuel gas codes. They responded to 79 calls for service. These included 4 structure fires, 10 motor vehicle accidents, 30 hazardous condition calls, 10 medical assistance, 2 carbon monoxide alarm calls, and 19 service calls. The monthly building report is as follows: 96 permits issued, with an estimated cost for improvements of \$426,797 with fees of \$2,639 that were collected. They continue to address complaints as needed. For June, the Codes Division conducted 845 inspections and complaint responses. Residents were reminded to obtain permits before beginning work.

WATER DEPARTMENT- Council Member Iannotti reported that the City Water Board passed Resolution # 13 with Fulton County Electric to update their building as part of the National Grid recommendation to save money for the City. They are close to reaching an agreement with Todd Rogers and Todd Lee for water hook up because they are both in the Permissive Use Area.

DEPARTMENT OF PUBLIC WORKS-Council Member Iannotti said the DPW is continuing to maintain city owned buildings and property. Crews are also filling potholes throughout the city as needed. Residents are encouraged to report any potholes or deteriorated pavement areas so they can be addressed. Residents are reminded that DPW is no longer offering curbside pickup of leaves and brush. These should be brought by the residents to the Brush Drop Off which the DPW continues to monitor and empty as needed. They continue to restore and replace underground infrastructure as needed at several locations throughout the city. Residents are asked to use caution in the various areas where the DPW crew has been working. A preliminary list of streets to be resurfaced under the CHIPS program has been compiled and the bid packets are being prepared to be distributed to interested contractors once authorized advertisement is granted. With the help of Nick Zabawsky, three firms have been short listed as potential consultants to provide the City with a study of energy usages for various city owned properties. The tentative schedule is set for the energy audit to be approved by the Common Council at the Committee meeting on September 8. Rifenburg Construction is scheduled to start construction on phase 3 of the F J and G Rail project on July 27 with the estimated time of project completion to be three weeks.

SENIOR CENTER-Council Member Martin stated that there was no report for the Johnstown Senior Center.

PLANNING BOARD- Council Member Martin reported that the Planning Board had three issues before them at the last meeting. Two resulted in passage: the expansion of Udderly Delicious and one of the properties involved with the Main Street Grant program. The third one was tabled for further revision.

LIBRARY- Council Member Martin announced that the JPL Summer Reading Adventure is off to a great start. Children of all ages have been in to observe incubating chickens, make a keyboard from a banana, read to an English Mastiff therapy dog, and log in reading times. The MiSci traveling planetarium will be coming to the Library and the chickens will be hatching. Everyone was encouraged to read throughout the summer. The adult programming includes the monthly foreign films on the third Tuesday at 4:00 P.M. There will also be a biographical presentation, *The Empress Josephine*, about Napoleon's first wife, given by David Mulligan on

Thursday at 6:00 P.M. *On the Fringe* is an ongoing display of work by local artist Larry Groesbeck from his October Mountain Art studio. Johnstown resident and author, Heidi Sprouse, will speak on August 12 at 10:30 a.m. about her most recent book, Adirondack Sundown. This is her fifth published title. The weekend hours go into effect after Labor Day.

ASSESSOR'S OFFICE- There was no report.

SEWER BOARD- Council Member-at-Large Swatt reported that the Gloversville-Johnstown Sewer Board meeting was held on July 8. He reported that the old crane was sold for \$3,000, and an Army surplus forklift was purchased for \$2,500. The Fulton County Department of Solid Waste lent their hauler so the forklift could be transported from Pennsylvania. The Board is advertising for a wastewater engineer, but not getting the response for which they had hoped. They had one interview and have a few more planned. They have decided to put the salary range from \$44,000 to \$49,000 annually hoping to encourage more applicants. Tyler Masick was appointed as the interim acting wastewater manager at a salary of \$75,000. This was done because they terminated the contract with Gerhardt LLC effective August 2. He said the Board thanked George Bevington for his 15 years of dedicated service to the facility. He went on to mention the highlights of his career: \$23.2 million of capital projects, grants totaling \$14 million, being number one in the state in getting grants over the past 15 years, reducing the workforce from 32 full time employees in 2002 to 25 now - saving \$500,000 annually, being the first New York State facility to develop a system to generate biogas which essentially eliminated the electric bill by about \$500,000 a year. The Gerhardt contract was for a little less than three and a half years and provided a level of management staffing. The current wastewater manager is now trained to take over the facility, so that is why he was given the promotion.

RESOLUTION No. 37, 2015 was presented by Council Member Iannotti to authorize the City Clerk to advertise in the Leader Herald and the Daily Gazette for accepting bids for the resurfacing of certain city streets. Seconded by Council Member Martin.

Ayes: 4

Noes: 0

Absent: 1 Queeney

Mayor Julius asked Engineer Vose if there is any thought given to working on other projects such as utility infrastructure when the streets are being resurfaced. Engineer Vose responded that this can't be done this year on the CHIPS projects.

RESOLUTION No. 38, 2015 was presented by Council Member Swatt to authorize the City to file an application for funds from the NYS Homes and Community Renewal (CDBG) program to support the NOAH food pantry and soup kitchen at One Church Street. Seconded by Council Member Iannotti.

Ayes: 4

Noes: 0

Absent: 1 Queeney

RESOLUTION No. 39, 2015 was presented by Council Member Martin to approve and endorse the application by St. John's Episcopal Church for a historic preservation grant under the Environmental Protection Fund for the *St. John's Episcopal Church 2015 Historic Preservation Project*. Seconded by Council Member-at-Large Swatt.

Ayes: 4

Noes: 0

Absent: 1 Queeney

RESOLUTION No. 40, 2015 was presented by Council Member-at-Large Swatt to approve Eric and Emily Cheney's request to connect to the existing sanitary sewer line for their property with a future address on Cutter Drive located in the Town of Johnstown. Seconded by Council Member Iannotti.

Ayes: 4

Noes: 0

Absent: 1 Queeney

Council Member Lakata said she felt the SBL number should be read into the resolution. Council Member-at-Large Swatt read the number as "SBL#174.10-9-1.5 and 174.11-4-4". Council Member Lakata said she wanted to further clarify that this is in the Aspen Hills permissive use area, and Aspen Hills does have a contract with the City for the use of this service.

RESOLUTION No. 41, 2015 was presented by Council Member Iannotti to approve the Cheney's request to connect to the existing water line for their property with a future address on Cutter Drive located in the Town of Johnstown. Seconded by Council Member Martin.

Ayes: 4

Noes: 0

Absent: 1 Queeney

RESOLUTION No. 42, 2015 was presented by Council Member Iannotti to authorize Daniel Vincelette, Esq., of the Vincelette Law Firm, to execute the Stipulation of Settlement accepted by the Water Board concerning assessment on Parcel #147.-1-55 and #147.-1-53.2. Seconded by Council Member Lakata.

Ayes: 4

Noes: 0

Absent: 1 Queeney

RESOLUTION No. 43, 2015 was presented by Council Member Lakata to authorize the Mayor to execute Supplemental Agreement #2 with the NYS Department of Transportation to allow the City to be reimbursed, up to \$2,418,700.00, for the construction phase of the North Perry Street Bridge Replacement Project. Seconded by Council Member Iannotti.

Ayes: 4

Noes: 0

Absent: 1 Queeney

RESOLUTION No. 44, 2015 was presented by Council Member Lakata to authorize the Mayor to execute all documents and take all actions necessary to comply with the NYS Department of Environmental Conservation requirements regarding environmental easements of city-owned property known as DEC site #E518002, where the former Karg Tannery was located on the south side of Crescendoe Road and East Fulton Street. Seconded by Council Member Martin.

Ayes: 4

Noes: 0

Absent: 1 Queeney

Council Member Martin asked if this resolution will impact any future plans the City might have for the use of this land. Engineer Vose said, for example, schools and gardens wouldn't be allowed on this site.

DISCUSSION- Council Member-at-Large Swatt asked if the four points on the Comptroller's report regarding the Treasurer have been addressed. The Mayor indicated that he thought there has been a response sent. He also wanted to know if any progress has been made finding a Deputy Treasurer. The Mayor responded that the Treasurer would have to be asked about that. Council Member Swatt said he feels the City has to do more to help find someone. The Mayor said that it is difficult to find someone for the position. Council Member Lakata suggested that Council Member-at-Large Swatt try to find out more information from Civil Service.

ANNOUNCEMENTS- The Mayor announced that there will be a public hearing for the Charter Commission Review on July 27, 2015 at 7:00 p.m.

ADJOURN- At 7:53 Council Member Iannotti moved to adjourn. Council Member Martin seconded the motion. Motion carried.

Respectfully submitted,

MaryJo Smith
Deputy City Clerk