

Town of Johnstown
Regular Board Meeting
Monday February 26, 2024

Present: Christina VanValkenburgh, Paul Catucci, Joel Wilson, Amy Ward, Greg Satterlee, Leah Everhart, Caitlin Hart, Jeff Persch, Lucas Hart, David Walendziak

Meeting Called to Order at 6:02pm.

Motion made by Greg Satterlee to approve the meeting minutes of the February 12th workshop. Seconded by Joel Wilson. Motion Carried.

Motion made by Paul Catucci to pay the bills. Seconded by Amy Ward. Motion Carried.

REPORTS:

Lucas Hart

Highway Superintendent Monthly Meeting Report

2/26/2024

1. Trucks (the ones that have been on order) expected to be in 4/24 and 5/24. Supposedly
2. After new trucks arrive I want to auction off 3 trucks we have that are only useful to sand and summer to haul (no plows) this shop should be running the same trucks year round and not have 3-4 sitting for 5 months out of the year cause there only good for winter.
3. Cost of transfer station winter Plowing/Sanding has been calculated and emailed out to all board members. Sent on 1/29/2024
4. 284 agreement to sign between HWY super and members of the board, Legal Living document that can be changed. "Various roads" in case of and unforeseen circumstances of road damage or paving changes. Contractual \$125k, Hwy Maint \$175k, Chips \$375k combined. \$675,000.
5. Need to order next plow truck asap to accommodate the waiting period and not have another lead time issue.
6. Would like the town board to approve purchase of used forklift (\$15K-\$25k) for the shop. Extremely versatile and back saving for the men (liability lifting objects, possible injuries etc.) Loader to big to move stuff around shop. Mechanic has nothing to move objects when loaders are being used all summer elsewhere.
7. After spring sweeping, I want to auction off 3 Sweepers. 2 Ford tractors with brooms and a tow behind. They are very old inefficient and a health hazard to anyone who uses them. Open cab (Silica dust lung disease)
8. Gradall either replace for \$485,368 (\$10,000 trade in) value, \$379,900 for rental unit with 1 yr. warranty yet or keep Gradall and add a Hyundai hw140 wheeled excavator with forestry head, 60" bucket, 24' digging bucket and hydraulic thumb. Attach quote from another towns pricing and what they paid and what we would pay for the same unit. \$221,099. Gradall needs new floor and rebuilt cylinders for boom. 4-6-week job needs to go to factory to change boom seals and replace floor. Purchasing another versatile machine (wheeled excavator) with attachments for \$160k-\$220k less would be ideal. Not only would we have 2 machines (if one goes down or takes months to fix) we could rebuild the current non emissions gradall with the savings. Even if it cost \$100,000 (exaggerated) to repair current gradall we would still be \$115k less then a new gradall and have two machines.
9. We are on the very back wall of the sand pit... no one has mentioned or planned for future of the current pit to either extend it to the right or consider going more salt to sand ratio to prolong what we have. The amount of time, man hrs, equipment, permits, training and maintenance is not cost effective anymore. Screen plant is on the edge of being unusable due to inspection from state MSHA... New or even used screen plants are over \$200,000 and hard to come by any old plants that will be or remain in compliance without major work...
10. Indian Rd. and Wemple Road will use up most of chips and paving money. Between the mileage and what they need. (Grinding 0.6 miles of Indian and 1 mile of Wemple watershed inward.
11. Garage has/is being painted along with scrap metal removal.
12. Snow and ice operations as usual.

Assessor's Report – February 2024 Caitie

The Assessor's Office has been steady. The Seniors and Agricultural exemption holders that did not come in have been given a second notice reminder to get the renewals in by March 1st and as of today we have almost everyone in. We are still waiting on the eligibility lists for firefighters. We only have one application so far, it seems that the tax credit they receive is very close to the exemption amount they would get so they are hesitant to go with the exemption. Charlene and Jeff have been working hard on getting old building permits closed out and as they do I have been assessing them. The transfers have been posted and assessed as needed. Thank You for getting the Senior Low Income scale in line with the County, this will create less confusion.

After that all else here in the office is well. See you next month.

Sincerely,



David Walendziak, Assessor

Town of Johnstown, Code Enforcement

Jeff Persch
2753 State Highway 29
Johnstown, NY 12095

Office : (518) 762-7346
Fax: (518) 762-7072
buildings@townofjohnstown.org

JUSTICE MONTHLY REPORT FOR JANUARY 2024

TOTAL RECEIVED \$ 10,028.00
TOWN RECEIVED State Comptroller Report has not been received as of 2/26/24

January 2024 Monthly Report

- Permits issued for the month – 6 estimated values of \$49465.00.
- Fees collected for the month – \$240.00.
- Fire Inspections – 0
- Projects for the month – 0 Planning, 0 Zoning
- Complaints filed for the month – 1.
- Violations - 0 corrected
- Court Cases - 0

- 96 NEW TRAFFIC TICKETS
- 20 NEW CRIMINAL CHARGES
- 28 TRAFFIC TICKETS TOOK A PLEA AND/OR PAID
- 21 SUSPENSIONS
- 8 CRIMINAL CHARGES TOOK A PLEA AND/OR PAID
- 0 CODE and/or DOG CASES

Items for discussion

- All 6 classes are now completed as of February 14th.
- Started sending out violations for blight.
- Caught one builder without a permit, he came in and complied.
- 2 houses under construction
- The 1st house permit will be going out tomorrow for the Aspen Hills subdivision and a 2nd after next month's zoning meeting if approved.

SUBMITTED,



Kathy Canary
COURT CLERK

TOWN CLERK'S MONTHLY REPORT

JANUARY, 2024

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DISBURSEMENTS

PAID TO SUPERVISOR FOR GENERAL FUND	26,427.50
PAID TO SUPERVISOR FOR SEWER	900.47
PAID TO SUPERVISOR FOR WATER	1,355.76
PAID TO NYS ANIMAL POPULATION CONTROL PROGRAM	38.00
TOTAL DISBURSEMENTS	28,721.73

ANIMAL CONTROL REPORT

JANUARY 2024

8 STRAYS 8 DOGS 0 CATS

2 COMPLAINTS 2 WARNINGS

0 TICKETS

6 MISSING/FOUND

1 BITES/CONFINEMENTS

0 HIT BY CAR

17 QUESTIONS

4 OTHER (ADOPTION)

6 NOT MY JURISDICTION: (2- GLOVERSVILLE 2 -perth 2 CITY OF JOHNSTOWN)

2 NEGLECT/ABUSE

26 TOTAL INCIDENTS HANDLED

185.8 MILES LOGGED IN THIS MONTH

Transfers to be made:

FEB. 2024

\$10,000

To: A5010.4 –

Supt. of Highways - Contractual Exp.

From: A5132.4 –

Highway Garage – Contractual Exp.

Animal Shelter: Currently have 4 dogs at the shelter and had 4 adoptions this month.

Public Hearing for Local Law 2 of 2024 opened at 6:16pm.

Public Comment: Attorney Hyde Clark with Kearsarge Energy would like to have the moratorium amended to exclude any pending solar farms. Christina asked if they had received approval from National Grid and had the field study done. Mr. Clark stated would have them submitted.

Sarah Stevens from Bluewave Energy currently have 3 solar projects and 1 currently pending and would like the board to consider their exemption from the moratorium. Christina questioned the requested the extension that had been filed for 14 months and National Grid approval. Ms. Stevens stated that they had approval from National Grid and have paid interconnection fees.

Fulton County Soil and Water Property: They are looking to move the new facility into an R2 area and is not zoned correctly and are looking for Balance of Public Interest to be exempt from the zoning. Leah stated that there are 9 factors to consider which she provided to the board. Jeff stated that the setbacks are met and would be taking one house down and one house would be used for storage.

Res. 2024-48: Motion made by Christina VanValkenburgh to allow Fulton County Soil and Water to be allowed an exemption to Zoning Laws in the Balance of Public Interest.

Seconded by: Joel Wilson

Ayes: Christina VanValkenburgh, Paul Catucci, Joel Wilson, Amy Ward, Greg Satterlee

Nays: NONE

USM Solutions Proposal

Groff has not yet submitted their proposal. Paul stated that the USM proposal is below budget and below spending.

Motion made by Christina VanValkenburgh to discontinue services with Groff Networks and to engage with USM Solutions as listed with their proposal. Seconded by Amy Ward. Leah suggested waiting till the current agreement with Groff expires. Motion was withdrawn by Christina VanValkenburgh.

Res.2024-49: Motion made by Joel Wilson to appoint Matt Conca for \$750 per month to do water testing for the Aspen Hills Water District effective January 1, 2024.

Seconded by: Greg Satterlee

Ayes: Christina VanValkenburgh, Paul Catucci, Joel Wilson, Amy Ward, Greg Satterlee

Nays: NONE

Public Comment: Garrett Sammons asked why the moratorium is needed. Christina stated that there is a new board and would like to have a study done and weigh the pros and cons. Some farms going up but can not connect with National Grid due to lack of capacity and losing land.

Sarah from Bluewave stated that they are well down the process. Amy questioned why the extension. Stated that the financing an other things that go into it the company was not far enough along last year. Amy questioned the delay in getting materials. Stated that there was a delay due to the passage of the IRA. Jessie from Bluewave Agriculture division stated that they would have been ready if National Grid had been ready with utility construction.

Todd Hollenbeck asked how long for the study. Christina stated that the 6 month moratorium.

Barbara Hemstreet stated that these are not farms they are industrial complexes and should be called as such.

Alicia from Bluewave asked for exemption of the moratorium for current projects with approval.

Public hearing closed at 7:10pm.

Joel stated that he felt it was unfair to pull the rug out from current projects. Paul stated losing farms and fire is a big concern local departments can not handle 6 months would give a break but feels not ready to make a decision.

Res.2024-50: Motion made by Christina VanValkenburgh to approve Local Law 2 of 2024.

Seconded by: Amy Ward

Ayes: Amy Ward, Christina VanValkenburgh

Nays: Joel Wilson, Paul Catucci, Greg Satterlee

MOTION FAILED

Res.2024-51: Motion made by Christina VanValkenburgh RESOLUTION ADOPTING LOCAL LAW NO. 2 OF 2024 ESTABLISHING A

MORATORIUM ON SOLAR FARMS AND BATTERY ENERGY STORAGE SYSTEMS
IN THE TOWN OF JOHNSTOWN

WHEREAS, the Town Board recognizes that solar energy offers benefits for energy conservation and reduction of reliance on fossil fuels and, as such, the development of solar energy facilities continues to grow; and

WHEREAS, the Town of Johnstown has experienced extensive growth of Solar Farms in the last several years and the Town now believes that the creation of Battery Energy Storage System may adhere to a similar pace; and

WHEREAS, while such land uses have their benefits, they also have impacts on aesthetics, land development patterns, vegetation (the clearing of land, including well-established forested areas), reduction of agricultural opportunities, overall reduction of economic development opportunities and real property tax impacts on other property owners; and

WHEREAS, this Moratorium is necessary in order to temporarily restrict the development of Solar Farms and Battery Energy Storage System so that the Town Board may further analyze these issues and consider enactment or amendment of land use regulations to encourage appropriate development of such uses consistent with the Town's land use development and zoning objectives; and

WHEREAS, the proposed Local Law is a Type II Action under 22 New York Code of Rules and Regulations §§617.5, and no further action is therefore required to comply

with SEQRA; and

WHEREAS, a proposed Local Law was prepared which establishes a six-month Moratorium on the review and approval of any newly proposed Solar Farms or Battery Energy Storage System as well as construction of any such facilities which have not obtained all necessary approvals and permits on or before February 26, 2024; and

WHEREAS, the proposed Local Law was forwarded to the Saratoga County Planning Board for its recommendations pursuant to General Municipal Law Section 239-

m, and the County Planning Board indicated there were no community wide impacts; and

WHEREAS, the Town Board duly held a Public Hearing on the proposed Local Law on February 26, 2024 and heard all interested persons.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. The Town Board hereby adopts Local Law No. 2 of 2024 as amended by the Town Board.

2. The Board hereby authorizes and directs the Town Clerk to file the Local Law with the New York Secretary of State in accordance with the provisions of the Municipal Home Rule Law and acknowledges that the Local Law will take effect immediately upon filing by the Secretary of State.

3. This Resolution shall take effect immediately.

Duly adopted this 26th day of February, 2024.

Seconded: Amy Ward

Ayes: Christina VanValkenburgh, Paul Catucci, Joel Wilson, Amy Ward, Greg Satterlee

Nays: NONE

USM Solutions Proposal: Leah advised that there need to conduct competitive bidding. Nate believes that this is an exemption.

Res. 2024-52: Motion made by Christina VanValkenburgh to discontinue service with Groff Networks and engage with USM Solutions up to but not exceeding \$30,000.00.

Seconded: Paul Catucci

Ayes: Christina VanValkenburgh, Paul Catucci, Joel Wilson, Amy Ward, Greg Satterlee

Nays: NONE

Councilman Report:

Joel Wilson stated that every snow storm there has been an issue with Berkshire Transfer Station. Lucas stated that he has had a conversation and there have not been issue since.

Christina stated that the first cemetery meeting is set for March 4th.

Motion made by Christina VanValkenburgh to go into executive session at 7:51pm for employment.

Seconded by Paul Catucci. Motion Carried.

Motion to leave executive session at 8:02pm.

Motion made by Joel Wilson to close the meeting at 8:03pm. Seconded by Paul Catucci. Motion Carried