

Town of Johnsburg

Board Meeting Date:

September 3, 2024

Resolution # 155-24

APPROVAL OF MINUTES OF AUGUST 13, 2024

Whereas the Town of Johnsburg Town Board Regular Town Board Meeting on September 3, 2024, and

NOW THEREFORE IT BE RESOLVED that the Town Board has accepted and approved the Meeting Minutes of August 13, 2024.

Ms. Bowers made a Motion to approve and accept the Meeting Minutes of August 13, 2024 and moved its passage with a Second Motion from Mr. Heid. Where upon this Resolution was put to a vote and recorded as follows:

Ayes 5 Nays 0 Recusals 0

Supervisor Bean	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Recused
Councilwoman Bowers	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Recused
Councilman Heid	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Recused
Councilman Stevens	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Recused
Councilman Williams	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Recused

**RESOLUTION AUTHORIZING SETTLEMENT OF
PROPERTY ASSESSMENT CASE
FILED BY 112 SKI BOWL ROAD, LLC**

RESOLUTION NO.: 156 - 24

**INTRODUCED BY: Mr. Williams
WHO MOVED ITS ADOPTION**

SECONDED BY: Ms. Bowers

WHEREAS, 112 Ski Bowl Road, LLC (“Petitioner”), filed Article 7 Real Property Assessment Review cases against the Town challenging the 2018 through 2024 assessments on its property located at 112-126 Ski Bowl Road (Tax Map Parcel #66.-1-16); and

WHEREAS, it appears to be in the best interests of the Town to avoid the significant costs that would result if the litigation continues and goes to trial; and

WHEREAS, the Town Board now wishes to authorize negotiated settlement terms that Petitioner has approved and that the School Board is anticipated to approve; and

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board hereby approves the proposed settlement of the tax assessment cases filed by Petitioner for assessment rolls 2018 through 2024 under the following terms:

- 1) All pending RPTL Article 7 assessment proceedings shall be discontinued.
- 2) A lump sum refund in the amount of \$175,000 will be paid to Petitioner by the Town, County and School proportionally based on tax rates.
- 3) The assessed value for the property will be reduced based upon a fair market value of \$900,000 for the 2024 assessment roll.
- 4) The assessed value for the property will be set based upon a fair market value of \$900,000 for the 2025, 2026 and 2027 assessment rolls with RPTL Section 727(2) exceptions to apply for these assessment roll years.
- 5) Any and all refunds shall be interest free if paid within 60 days of service of the filed Court Order approving the settlement, together with Notice of Entry and a Demand for Payment on the applicable taxing jurisdictions.

BE IT FURTHER, RESOLVED, that approval of this Settlement Agreement is contingent upon Town Counsel’s review and approval of the Stipulation and Order of Settlement; and

BE IT FURTHER, RESOLVED, that the Town Board further authorizes and directs the Town Supervisor, Town Assessor, Town Clerk and/or Town Counsel to execute settlement documents and take any additional steps necessary to effectuate the proposed settlement in accordance with the terms of this Resolution.

Duly adopted this 3rd day of September 2024, by the following vote:

AYES	5:
NOES	0:
ABSENT	0:

Board Meeting Date: September 3, 2024 Resolution # 157 - 24

RESOLUTION TO APPROVE SALE OF SURPLUS EQUIPMENT FROM HIGHWAY DEPARTMENT

WHEREAS, the Town of Johnsburg has a Town Board Meeting scheduled for September 3, 2024, and

WHEREAS, Mr. Comstock, Highway Superintendent, is looking for Board approval to deem following equipment as surplus and allow it to be posted for sale. These items were declared surplus last year and will be sold as is.

- 2012 Ford F350 Dump Truck with Plow and Sander – repairs have been done and this piece of equipment is no longer usable; 4-wheel drive and dump do not work.
- Older drop in sander for tandem dump truck

WHEREAS, Mr. Comstock is asking for Board approval to post on an auction website as surplus/unused equipment for sale.

NOW THEREFORE LET IT BE RESOLVED, the Town of Johnsburg Town Board authorizes the sale and posting of surplus equipment from the Highway Department.

Ms. Bowers made a Motion to approve the above equipment surplus and to post for sale and moved its passage with a Second Motion from Mr. Heid.

Where upon this Resolution was put to a vote, recorded as follows:

Ayes 5 Nays 0 Recusals 0

Supervisor Bean	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Recused
Councilperson Bowers	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Recused
Councilperson Heid	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Recused
Councilperson Stevens	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Recused
Councilperson Williams	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Recused

Board Meeting Date: September 3, 2024 Resolution # 158 - 24

RESOLUTION FOR AUTHORIZATION TO PROCEED WITH ORDER OF ICE RINK KIT FOR PPP

WHEREAS, the Town of Johnsbury has a Town Board Meeting scheduled for September 3, 2024, and

WHEREAS, Mr. Olesheski is asking for approval to purchase an Ice Rink Kit and has provided the appropriate procurement paperwork

WHEREAS, Mr. Olesheski states there is enough money in the budget line to cover the \$15,240 purchase.

NOW THEREFORE LET IT BE RESOLVED, the Town of Johnsbury Town Board authorizes the purchase of the Ice Rink Kit.

Ms. Bowers made a Motion to approve the authorization to proceed with the ordering of the ice rink kit and moved its passage with a Second Motion from Mr. Heid.

Where upon this Resolution was put to a vote, recorded as follows:

Ayes 5 Nays 0 Recusals 0

Supervisor Bean	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Recused
Councilperson Bowers	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Recused
Councilperson Heid	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Recused
Councilperson Stevens	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Recused
Councilperson Williams	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Recused

Town of Johnsborg

Board Meeting Date:

September 3, 2024

Resolution # 159-24

APPROVAL OF SUPERVISOR'S REPORT

Whereas the Town of Johnsborg Town Board had its Regular Town Board Meeting on September 3, 2024, and

NOW THEREFORE IT BE RESOLVED that the Town Board has accepted and approved the Supervisor's Report.

Ms. Bowers made a Motion to approve and accept the Supervisor's Report dated August 23, 2024 and moved its passage with a Second Motion from Mr. Heid. Where upon this Resolution was put to a vote and recorded as follows:

Ayes 5

Nays 0

Recusals 0

Supervisor Bean	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Recused
Councilwoman Bowers	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Recused
Councilman Heid	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Recused
Councilman Stevens	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Recused
Councilman Williams	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Recused

Town of Johnsborg

Board Meeting Date:

September 3, 2024

Resolution # 160 - 24

WARRANTS

Whereas the Town of Johnsborg Town Board had its Regular Meeting on September 3, 2024,
and

NOW THEREFORE IT BE RESOLVED that the Town Board has approved the Warrants.

GENERAL FUND	\$ 52,802.26
HIGHWAY FUND	\$ 29,559.58
WATER IMPROVEMENT PROJECT	\$ 5,370.00
SKI BOWL MITIGATION PROJECT	\$ 1,981.65
LIBRARY FUND	\$ 6,516.34
WATER DISTRICT	\$ 14,144.27
TRUST AND AGENCY	<u>\$ 2,938.02</u>
TOTAL	\$113,312.12

Ms. Bowers made a Motion to approve the Warrants and moved its passage with a Second Motion from Mr. Stevens. Where upon this Resolution was put to a vote and recorded as follows:

Ayes 5 Nays 0 Recusals 0

Supervisor Bean	<u> X </u> Yes	<u> </u> No	<u> </u> Recused
Councilwoman Bowers	<u> X </u> Yes	<u> </u> No	<u> </u> Recused
Councilman Heid	<u> X </u> Yes	<u> </u> No	<u> </u> Recused
Councilman Stevens	<u> X </u> Yes	<u> </u> No	<u> </u> Recused
Councilman Williams	<u> X </u> Yes	<u> </u> No	<u> </u> Recused

Town of Johnsburg

Board Meeting Date:

September 3, 2024

Resolution # 161 - 24

ADJOURN

Whereas the Town of Johnsburg Town Board had its Regular Meeting on September 3, 2024,
and

Mr. Heid made a Motion to Adjourn the Meeting at 8:53PM and moved its passage with a
Second Motion from Mr. Williams. Where upon this Resolution was put to a vote and
recorded as follows:

Ayes 5 Nays 0 Recusals 0

Supervisor Bean	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Recused
Councilwoman Bowers	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Recused
Councilman Heid	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Recused
Councilman Stevens	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Recused
Councilman Williams	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Recused