

**Minutes of the Town of Johnsburg Regular Meeting  
August 18, 2015  
Held at the  
Tannery Pond Community Center,  
North Creek, NY**

Minutes of the Regular Meeting of the Town Board of the Town of Johnsburg held on Tuesday August 18, 2015 at 7:00 PM at the Tannery Pond Community Center, North Creek, NY.

Supervisor Vanselow called the meeting to order at 7 p.m. and the pledge to the flag was led by Supervisor Vanselow.

PRESENT: Ronald Vanselow	-- Supervisor
Arnold Stevens	-- Councilman
Eugene Arsenault	-- Councilman
Peter Olesheski, Jr	-- Councilman
Jo A Smith	-- Town Clerk

ABSENT: Katharine Nightingale -- Councilwoman

**APPROVAL OF MINUTES FOR July 21, 2015**

***RESOLUTION #83-15***

Mr. Arsenault presented the following resolution and moved its passage with a second from Mr. Olesheski to accept the minutes of the July 21, 2015 regular Town Board Meeting as written.

With 4 members voting in favor, the resolution is declared carried. Ayes-4 (Stevens, Arsenault, Olesheski, Vanselow) Nays- 0

**CORRESPONDENCE:**

**August 4, 2015 - Case #11400219 - Re: SPEED LIMIT REQUEST PARK ROAD, TOWN OF JOHNSBURG WARREN COUNTY** - Dear Mr.

Tennyson: This is in response to your September 29, 2014 letter to this office, requesting a speed limit reduction on Park Road in the Town of Johnsburg. We conducted a field investigation of Park Road between Route 8 and Garnet Lake

Road (CR 72). Based on our review, we have determined that a speed limit reduction is warranted for this highway. We have written a Notice of Order for a 40 mph speed limit on the requested section of Park Road. Upon receipt of this Order, which is being filed with the Secretary of State, you may arrange to have the appropriate speed limit signs installed in accordance with the MUTCD and NYS Supplement.

**August 4, 2015 - Case #1140024 - Mr. Jeffery E. Tennyson County Superintendent Warren County - Re: SPEED LIMIT REQUEST HARRINGTON ROAD TOWN OF JOHNSBURG WARREN COUNTY -**

Dear Mr. Tennyson: This is in response to your September 26, 2013 letter to this office, requesting a speed limit reduction on Harrington Road in the Town of Johnsburg. Upon inspection of this road, we found it to be a dirt/sand covered road. It is our practice not to establish regulatory speed limits on unpaved highways. Our reasoning is that these types of highways are low volume highways generally used mostly by residents who are familiar with the roads and their conditions. The physical characteristics on unpaved highways in themselves control operating speeds depending on the weather, season and amount of road maintenance, so that establishing an appropriate speed limit is difficult even under favorable conditions. Finally, enforcement would most likely be minimal due to the low traffic volume.

**Date: 07-31-16 - from: Victor H Sasse, 26 Knotty Pine Lodge Road, North River, NY 12856** - The reason for this letter is to make you and the members of the Town Board aware of a highway situation which exists in the Hamlet of North River. The road I'm referring to is Thirteenth Lake road. As you know this road begins at the State Road 28 and winds its way up hill and west in a series of curves (some blind) some short straight sections, and some rises which hide traffic. For the most part it is a narrow road. Besides serving local residents, its traveled by campers, hikers, fisher persons, and hunters. Customers and employees going to and from Garnet Hill Lodge, and the employees of the Barton Mining Co. This industry hauls its products daily using tandem wheeled trucks to the Hudson river facility located in Hamilton County. In addition to these trucks, the Town of Johnsburg Highway Dept. and neighboring Highway Departments travel back and forth hauling tailings,

Barton's by product. this product is also hauled by tandem wheeled trucks, they are large and heavy. Without a doubt Thirteenth Lake road handles a considerable amount of traffic. What is a concern is the speed at which this traffic travels. There are signs which indicate curvy roads, black backed signs with orange numerals which state 30 mph. Note: at this point in this letter I would like to share some information with you regarding these aforementioned signs. Surprisingly these speed signs are only suggestions, and are not covered by law which to me seems ridiculous. Also that the speed signs are not set by law enforcement. To get a bona fide speed limit the town has to pass a resolution for the speed it wants posted. In my experience of having lived off, and traveled on 13th. Lake road for 43 years, I consider it a narrow road, having blind curves, travels through a residential area w/many driveways entering onto it, a church and a firehouse and eight road intersections. The excessive speed at which many persons presently travel this road is a serious accident waiting to happen. I and the residents of North River are requesting that the legal speed that motorists are allowed to travel on thirteenth Lake Road be posted at 30 mph. this road cannot be traveled safely in excess of that speed. this has been proven countless times in the area where the road has many curves. it is also a prudent speed to travel though a residential area. Life is too precious to be wasted because some misguided individuals have to drive fast. there are places where you can do that if you are so inclined, it's called NASCAR.

**August 17, 2015 - Tim Record** - I would like to purchase the small building at the dump which the town received from Gore. I need it to store my kettle corn machine. I have experience with jacking of heavy railroad coaches and locomotives and will safely move the building with the assistance of neighbor, Matt Allen. The floor is gone. I would like to offer \$50 for the building. Thank you for your consideration in this matter.

Supervisor Vanselow asked the Board if they were in favor of him submitting a request to Warren County on behalf of Mr. Sasse to have 13th Lake Road posted at 30 mph.

### ***RESOLUTION #84-15***

Mr. Olesheski presented the following resolution, and moved its passage with a second from Mr. Stevens, giving Supervisor Vanselow permission to submit a request to Warren County on behalf of the Town Board to have 13th Lake Road posted at 30 mph.

With 4 members voting in favor, the resolution is declared carried. Ayes-4 (Stevens, Arsenault, Olesheski, Vanselow) Nays- 0

Supervisor Vanselow, regarding the letter from Mr. Record about the small shack at the transfer station in which Gore gave the Town at the time of the fire. There is no floor in it and it smells so it was never used and it is just taking up space. Mr. Olesheski asked if there was any Resolution in acceptance of the shack. Supervisor Vanselow stated he didn't believe so.

### ***RESOLUTION #85-15***

Mr. Stevens presented the following resolution, and moved its passage with a second from Mr. Arsenault, accepting Mr. Tim Records offer of \$50.00 for the shack which is located at the Transfer Station.

With 3 members voting in favor, the resolution is declared carried. Ayes-3 (Stevens, Arsenault, Vanselow) Opposed - 1 (Olesheski)

**COMMITTEE REPORTS:** None

### **OLD BUSINESS:**

**Upper Hudson Trail Association** - Supervisor Vanselow stated that he had received two different resolutions in support of the Upper Hudson Trail Association which are fill in the blanks and as soon as he has done so he will forward them on to the Board Members.

**Reval Up-date** - Christian Holt was not present

**Swimming Up-Date** - Supervisor Vanselow stated that we have received the OK from DOH to have the Beach open Friday to Sunday from Noon to 4PM and we have lined up a life guard.

**Noise Ordinance Up-Date** - Supervisor Vanselow first stated that he has Attorney Fuller drafting a noise ordinance, which would have to go to public hearing. Supervisor Vanselow then turned the floor over to Ms. Danae Tucker, who is the ZEO for the Town. Ms. Tucker thanked the board for letting her change her work schedule, and she went on to state that the construction companies really like the hours because that way they don't have to leave their job during the day they can meet with her after their workday. Ms. Tucker went on to state that she will be meeting with Attorney Fuller next week regarding the Edwards Hill problem. Ms. Tucker is hoping to have a determination within the next two weeks. Ms. Tucker proceeded with the next issue, Wevertown and the violation has returned. Ms. Tucker has spoken with the violator and also contacted her via a letter explain that she needs to remove the violators immediately. Ms. Tucker is going to be seeking advice from Attorney Fuller.

**NEW BUSINESS:**

**ORDA CONTRACT** - Supervisor Vanselow stated that Mr. Pratt and he had a meeting and Mr. Pratt told him that they are planning to put up 4 Zip Lines at the Ski Bowl and possibly moving their summer activities to the Ski Bowl. They also, discussed the winter parking, plowing and the Summer Youth Program. Supervisor Vanselow explained that they will be meeting again regarding these issues.

**FLOWER GARDEN** - Supervisor Vanselow stated that an e-mail was received from Ms. Judy Brown requesting naming of the Ski Bowl Garden "Ski Bowl Perennial and Native Plant Gardens".

**RESOLUTION #86-15**

Mr. Stevens presented the following resolution, and moved its passage with a second from Mr. Arsenault, accepting the name "Ski Bowl Perennial and Native Plant Gardens" for the Ski Bowl Park Flower Garden.

With 4 members voting in favor, the resolution is declared carried. Ayes-4 (Stevens, Arsenault, Olesheski, Vanselow) Nays - 0

**FRONT STREET** - Supervisor Vanselow stated that in the Boards packet was a copy of the original 2005 Master Agreement with Front Street. Supervisor Vanselow would like the Board Members to look it over to refresh their memories. Mr. Crikelair is working on moving forward with Parcel A and is hoping to start Parcel B shortly. Supervisor Vanselow went on to state that Mr. Crikelair is also adding a Parcel C. Mr. Arsenault stated he would like attorney Fuller to look over that documentation. Supervisor Vanselow stated that the Board might want to set up a work shop meeting in the near future.

### **ANIMAL CONTROL OFFICER MONTHLY REPORT**

Supervisor Vanselow noted that the Animal Control Officer's monthly report for July 2015 from Mr. William Mosher is in the Town Board packets.

### **ZONING ENFORCEMENT OFFICER MONTHLY REPORT**

Supervisor Vanselow noted that the Zoning Enforcement Officer, Ms. Danae Tucker's monthly reports for May & June 2015 which are in the Town Board packets.

### **SUPERVISOR MONTHLY REPORT**

Supervisor Vanselow noted that the Supervisors Monthly report for July 2015 is in the Town Board packets.

### ***RESOLUTION #87-15***

Mr. Stevens presented the following resolution, and moved its passage with a second from Mr. Arsenault, to accept and approve the Supervisor's Monthly report for July 2015.

With 4 members voting in favor, the resolution is declared carried. Ayes-4 (Stevens, Arsenault, Olesheski, Vanselow) Nays- 0

**BUDGET AMENDMENTS AUG 2015** - Supervisor Vanselow stated that there are a few Budget Amendments for the Month of August.

## ***RESOLUTION #88-15***

Mr. Stevens presented the following resolution, and moved its passage with a second from Mr. Arsenault, to accept the following budget amendments

### Budget Amendments Aug, 2015

1      Parks CE          A71104          \$10,000.00  
Unassigned Appropriated Fund Balance A915          \$10,000.00

Appropriate Fund Balance for payments to Business Alliance for Winter Shuttle and Trails Program per Board Resolution 76-15 passed July 21, 2015

2      Parks CE          A71104          \$11,000.00  
Unassigned Appropriated Fund Balance A915          \$11,000.00

Appropriate Fund Balance for payments for Beach Project

3      Parks EQ          A71102          \$27,200.00  
Unassigned Appropriated Fund Balance A915          \$27,200.00

Appropriate Fund Balance for purchase of 2015 Parks pickup

4      Traffic Control CE          A31104          \$2,500.00  
Contingency      A19904          \$2,500.00

Allocate Contingency Funds to cover traffic signs

### Budget Corrections Aug, 2015

1      Parks CE          A71104          \$1,363.32  
Cemeteries CE      A88104          \$1,363.62

Braley Noxon purchase of new mower and mower repairs posted 5/13/15 incorrectly coded to cemeteries

With 4 members voting in favor, the resolution is declared carried. Ayes-4 (Stevens, Arsenault, Olesheski, Vanselow) Nays- 0

## **MOTION TO PAY WARRANTS**

Supervisor Vanselow asked for a motion to pay the warrants.

## ***RESOLUTION # 89-15***

Mr. Arsenault presented the following resolution and moved its passage with a second from Mr. Stevens to accept the following certified bills (Per Resolution #63-15) and to pay the following certified bills, which have been reviewed by the board members:

### ***July 15, 2015 - August 5, 2015***

***General Fund*** (Total \$15,045.65) - Claims #15-566, 15-638 to 15-639, 15-645 to 15-654

***Highway Fund*** (Total \$209.95) - Claims #15-656 & 15-657

***Capital Projects Fund*** (Total \$1,199.75) - Claims #15-655

***Johnsburg Emergency Squad*** (Total \$138,085.25) Claims # 15-658

**Total all warrants \$ 154,540.60 - Paid on August 5, 2015**

### **August 14, 2015 thru August 17, 2015**

***General Fund*** (Total \$55,397.31 ) -Claims #15-659 to 15-661, 15-666 to 16-687, 15-712 to 15-729, 15-731 to 15-735

***Highway Fund*** (Total \$35,663.83) - Claims #15-87 to 15-701, 15-712, 15-730, 15-736 to 15-738

***Capital Projects Fund*** (Total \$91.76) – Claims #15-718

***Water District Fund*** (Total \$3,261.57) Claims #15-662, 15-686, 15-702 to 15-705, 15-712, 15-733

***Public Library Fund*** (Total \$1,942.30) Claims #15-706 to 15-712

***Trust and Agency Fund*** (Total \$3,060.62) Claims # 15-712

**Total all warrants \$ 99,417.91**



With 4 members voting in favor, the resolution is declared carried. Ayes-4  
(Stevens, Arsenault, Olesheski, Vanselow) Nays- 0

**PRIVILEGE OF THE FLOOR**

Supervisor Vanselow stated that he didn't want to rehash Edwards Hill Road tonight that it is being worked on.

Mr. Nettle stated that he came in late and missed the part about the swimming update. Supervisor Vanselow updated him.

Mr. Brian Donohue stated that then Mr. Pierson needs to come in for a site plan. Supervisor Vanselow stated that at this time we weren't discussing this.

On motion of Mr. Arsenault and seconded by Mr. Stevens the meeting was adjourned at 8:04 p.m.

The next regular Town Board meeting will be held at 7:00 p.m. on September 1, 2015 at Wevertown Community Center, Wevertown, New York.

Prepared by Jo A Smith, Town Clerk

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# MEETING ATTENDANCE SIGN-IN

MEETING DATE: August 18, 2015

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LOCATION: Tannery Pond Community Center

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Please PRINT name and address clearly to assure the correct spelling in the minutes of this meeting.

- 1 Susan Hitchcock Bakers Mills
- 2 Jim Jones Johnsbury
- 3 Laurie Clarke Leavelle
- 4 Brian Donohue Bakers Mills / Bolton Landing
- 5 ROBERT NESSELE JOHN SBURY
- 6 Drew Suggs W. Conn
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