

**Minutes of the Town of Johnsburg  
Regular Meeting  
Wevertown Community Center,  
2370 State Route 28, Wevertown, NY  
February 2, 2016**

Minutes of the Regular Meeting of the Town Board of the Town of Johnsburg held on Tuesday February 2, 2016 at 7:00 PM at the Wevertown Community Center, 2370 State Route 28, Wevertown, 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 JANUARY 19, 2016**

***RESOLUTION #32-16***

Mr. Stevens presented the following resolution and moved its passage with a second from Mr. Arsenault to accept the minutes of the January 19, 2016 opening bid for scrap metal and 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

**MEMORIAM RESOLUTION: JEFFREY ALLEN**

A framed resolution was presented to Jeff's widow Tina Allen.

# Town of Johnsburg Town Board

## Resolution #33-16

SPONSORED BY ENTIRE BOARD:

### *IN MEMORIAM JEFFERY L ALLEN*

WHEREAS, recognizing Jeffery L Allen, departed this life on January 21, 2016, for his service to the Johnsburg Volunteer Fire Company and an ambulance driver for the Johnsburg EMS, and

WHEREAS, Jeffery L. Allen had served as a member of the Johnsburg Volunteer Fire Company for the past 8 years, continually fulfilling his duties with enthusiasm and distinction; and

WHEREAS, Jeffery L. Allen had served the community of Johnsburg as Truck Captain, Assistant Chief and Board President for the Johnsburg Volunteer Fire Company with prudent oversight and commitment to quality service; and

WHEREAS, Jeffery L. Allen had also served the Johnsburg community and its residents by acting as a volunteer member of the EMS while fulfilling the duties of ambulance driver

NOW, THEREFORE,

BE IT RESOLVED That the Town of Johnsburg Town Board, State of New York, does hereby recognize and commend Jeffery L. Allen for his meritorious and conscientious service to the Town of Johnsburg and its residents, and for his dedication to the mission of protecting life and property within The Town of Johnsburg.

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

### **COMMITTEE REPORTS: BUILDING COMMITTEE REQUEST**

Supervisor Vanselow requested that the Building Committee - Peter Olesheski and Gene Arsenault look into more office space for the Town Hall Employees.

Mr. Arsenault stated what they would need is a budget. Mr. Olesheski stated maybe renovating current space or a new Town Hall.

**OLDBUSINESS:**

**PLANNING BOARD**

Supervisor Vanselow stated that an e-mail from Gretchen Millington was received, requesting to have her term renewed for the Planning Board for another 5 years.

**RESOLUTION #34-16**

Mr. Olesheski presented the following resolution and moved its passage with a second from Mr. Stevens to approve and accept Gretchen Millington for the Johnsbury Planning Board with an expiration date of 2/1/2021.

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

Supervisor Vanselow stated that at this time Mr. Tom Volcheck is in the alternate spot. Supervisor Vanselow continued that he spoke with Mr. Tim Record and he would like the alternate spot and let Mr. Volcheck have the full time position being that he Mr. Record isn't in town that much and Mr. Volcheck lives here year around. Supervisor Vanselow stated that Mr. Record would be sending a letter to the board.

**NEW BUSINESS:**

**CEDARWOOD ENGINEERING SERVICES**

*Overview:*

The New York State Water Infrastructure Improvement Act of 2015 provides the New York State Environmental Facilities Corporation (EFC) authority to provide grants to assist municipalities in funding water quality infrastructure projects. The EFC will provide a total of \$200 million in Clean Water and Drinking Water grants. Municipalities may receive up to \$2 million or 60% of the total project costs (whichever is less). Eligible projects for grant funding include upgrades or improvements to upgrade or replace drinking water infrastructure, address non-

compliance with federal or state drinking water health standards, prevent future violations of such standards, and provide the public safe drinking water. The requirements of the Act will be met through a minimum of 75% of the grants being reserved for hardship communities. Funding was announced and awarded for FY2015-2016, with additional fund anticipated FY 2016-2017 and FY2017-2018.

North Creek Water District would likely meet the requirements of the NYS Water Infrastructure Grants under the hardship criteria. These grant monies can be used to update the existing water system to meet existing standards. The grant will fund 60% of qualifying project costs, with the remainder paid by the municipality or with financing from the EFC. Grant amounts are capped at 2 million dollars.

To apply for funding an application package must be prepared and submitted to the EFC/DOH for approval. Required components depend on project financing; however, all shall require a listing on the IUP, a DOH approved engineering report, project budget, project schedule, Smart Growth Assessment Form, Plan of Finance and DWSRF Financing Application (if seeking DWSRF Financing). For the coming year completed applications should be submitted prior to August 1<sup>st</sup>, 2016 deadline.

Below is a list of possible projects that have been identified for the North Creek Water System. Included with the projects is a short description of the proposed upgrade, the need for the upgrade, and project costs for the upgrade:

*Project 1 – Booster Station Upgrade*

This project would involve upgrading the existing booster station by adding a building over the existing pit, and adding equipment to increase efficiency/safety of the system. Minor portions of this project have been undertaken; however, the majority of the work remains to be undertaken. These improvements are required to correct safety issues with the pit, improve the reliability of the water system and to ensure proper chlorine levels for disinfection in drinking water. Please note that low chlorine levels in the drinking water have been noted by DOH in previous inspections. The estimated cost for the project is between \$160,000 and \$200,000.

*Project 2 – Close Loop Between Well #6 and Town Hall*

The existing water system is supplied by three wells located by the Town Highway Garage and Ski Bowl. Only one water main connects these wells to the existing system, this project would involve providing an additional connection from the wells to the water system serving the hamlet. This section of water main installation is high priority as it would add a secondary connection between the wells and the main system. The installation would provide redundancy in case of a water main break and would help to prevent water interruptions to downtown. The

estimated cost for the project is between \$140,000 and \$170,000.

Project 3 – Rehab of 200,000 Gallon Storage Tank

Water storage is provided in the existing system by three water storage tanks. This project would involve replacement of the 200,000-gallon water storage tank located at the southern end of the system. The existing tank is old and is reaching the end of the expected service life. The cost for this project is estimated to be between \$400,000 and \$500,000.

Project 4 – Close Loops in the System

The existing water distribution system has three locations with dead ends. This project will close these loops to help prevent stagnant dead ends where bacteria and viruses can grow and accumulate. Three loops were identified for closure: (1) East Holcomb St. to Ridge Ext., (2) Flats, and (3) Ski Bowl Road to Main Street. The estimated cost for each loop is shown below:

- East Holcomb to Ridge – \$140,000 – \$150,000
- Flats – \$59,000 – \$65,000
- Ski Bowl Road – \$60,000 – \$70,000

Project 5 – Replace NY 28 Water Main

The existing water main located past the booster station along Main Street and NY Route 28 is aged and two breaks have occurred along the line in the past. This project would replace the existing water main to a newer and more reliable material/construction. The cost for this project is estimated to be \$580,000 – \$700,000.

Project 6 – Repair Water Main Along Streetscape

The grant may pay for a portion of the water main to be replaced along the proposed streetscape project. This item will have to be discussed with the funding agencies to determine which portions will be covered.

Project 7 – Replace Water Main Along Peaceful Valley Road

The existing water main located along peaceful valley road is 2” galvanized pipe. This pipe material and size is not recommended for the required pressure and volume required in the distribution system and may cause issues in the future. Currently the system cannot provide water to the NYS DOT and adjacent buildings with sufficient pressure and flow at the same time. This project would replace the existing water main to a newer and more reliable material/construction. The cost for this project is estimated to be \$160,000 – \$200,000.

*Further Action:*

Should the board decide to move forward with a grant application, the next steps would be to meet with representatives from the DOH and EFC to determine the funding viability of the selected projects? Based upon these meetings the projects with the highest likelihood of funding can be identified and summarized in an engineer report to be submitted to the DOH and EFC. If no viable projects are identified at the meeting the project can be suspended without further action.

***RESOLUTION #35-16***

Mr. Olesheski presented the following resolution and moved its passage with a second from Mr. Arsenault to authorize Cedarwood Engineering Services to meet with EFC and DOH on behalf of The Town of Johnsbury.

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

**HISTORICAL SOCIETY - DELBERT CHAMBERS**

2016 January President's Letter ...

We were invited by Tracey Watson to address the third grade class at JCSchool about some historical aspect of the Town of Johnsbury. In late May we made a costumed presentation about the years that led up to the community that became the town of Johnsbury and the entrepreneur John Thurman. The enacted classroom presentation was followed up with a visit to the site of "Elm Hill", John Thurman's industrial complex.

In July we supported Tannery Pond in their weekend long program entitled "Irish Influence in the Adirondacks". JHS was responsible for the Friday evening reception refreshment table that included foods and drink of Irish family recipes. Music was by orchestral artists Megan Maiorana playing the flute and Jonathon Wilson playing the French horn with accompaniment by Gene Maiorana on keyboards. Exhibits were also part of our presentation. And, Rosemary Maher donated a piece of "Stephan Pearse Pottery" to raffle for the benefit our general fund.

You may remember the saga of the stolen Mathew Brady sign. We had decided to replace it but only with a dedicated funding effort. So, your donations, both

directly to the fund and also through a 'group funding' campaign sponsored by 'Adirondack Gives' we did not only reach our goal but exceeded it to the extent that we are able to add enhanced signage to the installation. A bonus for our effort was some great newspaper PR that was read not only locally but internationally as the "New York Times" published not one but two stories about Mathew Brady, the stolen sign and JHS. We were even contacted by a journalist from Ireland.

Watch our web site *www.johnsburyhistorical society.com* for when we will install the sign.

On November 14 we presented an extraordinarily successful program entitled "WWII – the Veteran's Stories". The focus was on the personal accounts of eight WWII vets as their accounts were gleaned from diaries, letters, memoirs and family. Major Frank Casazza, Army Air Corp, was interviewed in front of the audience by Kathy Maiorana.

The event included several tables of memorabilia including a display of actual war artifacts, most of which were from the private collections of the recognized veterans. These important items were guarded by Private Colby Gage of the National Guard. Live period music was provided by "The Jive Five" band with vocals by "The Andrew Sisters" and a 'crooner' of the era. "Basil & Wick's" and "Black Mountain Restaurant" helped set our refreshment table with a variant of SOS and beans and dogs and birch beer soda, all fare appropriate to a WWII Canteen. Deserts included 'war cake'. A reporter's after story of the event can be found at:

<http://www.suncommunitynews.com/articles/wwii-veterans%E2%80%99-stories-honored-in-north-creek/>

To continue our mission- "to preserve the history of the Town of Johnsbury and to promote regional historical education" we need your financial support. No, I mean REALLY need. Please help to support this your historical society.

### **UPPER HUDSON TRAILS ALLIANCE**

A short presentation was given by Mr. Tomb, Mr. Carlson, Mr. Orr and Ms. Nettle - We have been working closely with Kelly Nettle in submitting an application for the 2016 Smart Growth Grant requiring an endorsement from the Town of Johnsbury and with UHTA as grant recipient. We request that TOJ become the

lead Smart Growth Grant applicant as a municipality and write a letter which supports and endorses UHTA as a partner with TOJ. The submission of this grant to DEC (Smart Growth) is due February 12. Please read below for additional information.

Because this is coming to you without prior discussion, by way of introduction - the non-profit Upper Hudson Trails Alliance was formed last year to advance the idea of a town-wide recreational trails system —jumping off from North Creek and Ski Bowl Park and extending throughout the far reaches of our town to include all the town's hamlets.

These trails are for human-powered recreation, not for mechanized equipment other than emergencies or maintenance. There are examples of towns and communities that have done this throughout the country and the results have been outstanding. Visit these websites to see successful community nonprofit trails based recreation organizations. Both Methow Valley (Washington State) and Kingdom Trails (VT) closely match the direction we wish to emulate.

[www.jacksonxc.org](http://www.jacksonxc.org) [www.methowtrails.org/winter-trails](http://www.methowtrails.org/winter-trails) [www.kingdomtrails.org](http://www.kingdomtrails.org)  
[www.barkeatertrails.org](http://www.barkeatertrails.org) [www.craftsbury.com](http://www.craftsbury.com) [www.stowelandtrust.org](http://www.stowelandtrust.org)  
[www.pinehillpark.org](http://www.pinehillpark.org)

This year's grant which TOJ/UHTA is submitting is for the third phase of a multi-year plan as seen below:

***Phase 1:*** Build system of trails in Ski Bowl Park (done 2012-13)

***Phase 2:*** Expand system by 1 km; create marketing for and mapping of existing system (in the works 2015-16)

***Phase 3:*** Widen X-C trails in SBP for grooming purposes; purchase grooming equipment; prepare a recreational assessment of contiguous lands to the park in order to better connect North Creek and North River; market opportunities; expand mapping (2016-2017)

***Phase 4:*** Build connecting trails from phase 3; recreational assessment from North Creek to Riparius; market opportunities; expand mapping

***Phase 5:*** Build connecting trails from phase 4; recreational assessment from North Creek to Bakers Mill; market opportunities; expand mapping



**Phase 6:** Build connecting trails from phase 5; recreational assessment from Bakers Mills to Johnsbury to Glen; market opportunities; expand mapping

**Phase 7:** Complete connecting trails; map; and Initiate a town wide Marketing Plan.

UHTA thanks you for taking the time to write a letter of support. The more community enthusiasm we can convey, the more external monies flow our direction now and in the future. The state and federal government officials get on board when they recognize there is lots of support for the idea.

### ***RESOLUTION #36-16***

Mr. Arsenault presented the following resolution and moved its passage with a second from Mr. Stevens to approve and accept the 2016 Smart Growth Grant requiring an endorsement from the Town of Johnsbury and with UHTA as grant recipient.

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

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

Supervisor Vanselow noted that the Zoning Enforcement Officer, Ms. Danae Tucker's January 2016 report was in the Board's Packet.

### **MOTION TOPAY WARRANTS**

Supervisor Vanselow asked for a motion to pay the warrants.

### ***RESOLUTION #37-16***

Mr. Arsenault presented the following resolution and moved its passage with a second from Mr. Stevens to accept the following certified bills and to pay the following certified bills, which have been reviewed by the board members:

**General Fund** (Total \$25,968.61)-Claim #15-1200 to 5-1203; 16-40 to 16-54; 16-63 to 16-66

**Highway Fund** (Total \$23,035.21)-Claim#15-1202 & 15-1203; 16-54 to 16-59

**Water District Fund** (Total \$5,641.56) – Claim #15-1201; 16-54; 16-60 & 16-61

**Library Fund** (Total \$814.67) - Claim #16-54

**Johnsbury Emergency Squad** (Total \$151,465.30) - Claim #15-1199 & 16-62

**Trust & Agency Fund** (Total \$3,300.17) - Claim #16-54

Total all warrants \$ 210,225.52

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

### **PRIVILEGE OF THE FLOOR**

Delbert Chambers thanked Tannery Pond Center for the help on the World War II Program

Donna Welch stated that she only requested 4 people to write letters.

### **CORRESPONDENCE**

#### **Highway Superintendent - Dan Hitchcock**

I would like to request to run an ad in the paper to post the roads as temps are expected to warm up earlier than normal years.

### ***RESOLUTION #38-16***

Mr. Stevens presented the following resolution and moved its passage with a second from Mr. Arsenault to direct and authorize the Highway Superintendent to post Town Highways according to Subdivision 11 of Section 1660 of Vehicle and Traffic Law that all Town Boards will be temporarily closed upon posting to all vehicles having a gross weights of four tons. Further notice is hereby given that any person or persons violating this order shall be subject to punishment as provided in Section 1800 of the Vehicle and traffic Law.

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

**Dennis Wilson, President - Our Town Theatre Group**

I have been informed of the recent proposal to utilize one of the TPCC classrooms as office space for the Town of Johnsburg. As President of the Our Town Theatre Group (OTTG), I wish to inform you of OTTG's use of this space. I request that this letter be read aloud at your meeting at the Wevertown Hall on Tuesday, February 2, 2016.

OTTG uses the classroom space in the following ways:

1. Dressing room for two main stage productions per year
2. Dressing room for OTTG Staged Readings
3. Dressing room for children and teen workshops
4. Dressing room for our free Holiday Show at Christmas time
5. Dressing room for OTTG - programmed shows by other groups
  - a) The Seagle Colony
  - b) The Pendragon Theatre

It must be realized that the need for separate male and female dressing rooms is absolute. It is impossible for the two genders to dress in the same room, especially the children.

6. Small group rehearsal and practice space for main stage productions and acting workshops
7. Small group work space and activity rooms for children's musical theatre workshops and teen musical theatre workshops
8. Alternate space for small group meetings
9. Alternate space for assembling mailings

**Sally Heidrich**

The Tannery Pond Community Center building was a gift to our community from Woody and Elise Widlund for the exclusive use of providing cultural enrichment for the town's residents and neighboring communities. Not only has the Town of Johnsburg community benefited from this unique resource but it has been a major attraction to the whole southern Adirondack region by bringing people into our

town with their talents and resources. TPCC is a gem! It is an amazing asset that we were so fortunate to acquire!

How can the Town Board even consider compromising this asset for other than its intended use? I believe TPCC has developed and progressed throughout the years to become an even greater asset to this community. Surely, the Town's administrative office needs can be resolved in a more productive way.

**Carolyn Bischoff - Current Executive Director of Creative Healing Connections, Treasurer of the Adirondack Community Outreach, Former Board Member of Gore Mtn. Regional Chamber of Commerce and Executive Director of Upper Hudson Musical Arts.**

I am surprised to hear that one of the downstairs classrooms in the TPCC is being considered for Town office space, especially when the Assessor has his own office already in Town Hall. I would like to tell you what an amazing resource the connected classroom spaces in the "basement" of Tannery Pond really are and how sad it would be to lose them, as I believe that the Widlund's specified this was to be "community space".

I sang the "Star Spangled Banner" at the opening of Tannery Pond Community Center when it first opened. Since then, I have had at least 5 solo concerts there, sung a few benefit concerts, joined Denise's North Country Singers, performed with OTTG occasionally and with Gem Production's version of "It's a Wonderful Life" most recently. We rely on using those classrooms downstairs for dressing and rehearsal rooms. When we do the North Country Singer's concert, we could not do without both of those downstairs rooms, where the children have one room, and we can warm up in the other room. Also I have taken some Technology classes through the Chamber and cannot imagine how it would be, not to have space for these informative classes. In the "Instagram class", the classroom was not big enough for all those attending from the Town of Johnsbury.

As well, I have taken yoga classes that are held in the downstairs large room. We already have had people walking through that space when we are in our relaxation and meditation phases of the class, which is disturbing. I wouldn't take a yoga class there in the future, if others have to traipse through that area during that class, or phones are ringing and talking is going on. This would be a great detriment to Michele's classes and any art classes that Kate Hartley or other artists are holding in the downstairs area as well.

I have a rehearsal this Tuesday at Scout Hall, but I hope to get to Wevertown Hall, to stand up with the Community to urge that the Town NOT use Tannery Pond Community Center's rooms for offices.

### **Denise Conti**

I would like this letter read aloud at the February 2 Town Board meeting in Wevertown. It has recently come to my attention that Ron Vanselow is attempting to use the small Tannery Pond classroom as an office for the assessor. It would be a travesty for this to happen. It would negatively impact many music programs that I work with in Tannery Pond. We are excited that the usage of Tannery Pond has increased and want to encourage that to continue.

Our annual Holiday Celebration brings around 100 performers to the Tannery Pond stage. All the space downstairs is filled to capacity during the rehearsals and actual performances. We have a Holiday Children's Choir and Dancers made up of 45 children who use these rooms regularly between October and December for rehearsals, props, and costumes. This is facilitated with a group of energetic volunteers. The JCS Jazz Band of approximately 18 students are also a part of our Holiday Celebration. This involves many instruments and music stands. Again, the need for rooms. We also bring in 20 dancers from Guiding Steps North in Chestertown for the Holiday Celebration. We need room to house them during the performances. They and their families look forward each year to performing in our beautiful facility. The North Country Singers is made up of 45 singers from the Gore Mountain area. They are also in the Holiday Celebration. They use the big room and sometimes a small room for warm up. There is no way we could possibly pull off the Holiday Celebration, a gift to the community, without **all** of the downstairs rooms.

Tannery Pond brings both large and small music ensembles to our community each year. The Lake Placid Sinfonietta, Lake George Music Festival, the Adirondack Outreach Valentine Concert fund raiser, and Jazz Groups have graced our stage and use the room for warm up, changing clothes, and instrument cases. They are always appreciative of our facility. Why would we change it?!!

Each summer we bring the Seagle Music Colony Singers to perform a children's opera for the people in our community. Both the children, their families, and our senior citizens look forward to this free performance in our community. Both the Johnsburg and Minerva Youth programs also come to this performance. The

auditorium is filled to capacity with excitement. The rooms in question are used for costumes, warm ups, and props.

Each spring the North Country Singers perform a concert with their guest, the Queensbury Middle School Select Choir under the direction of Laura Lee Conti. This choir of 36 middle school students brings energy and excitement to our stage. We have been performing this concert together for 6 years. When the students come in they use the rooms for warm up, eating their bag lunches, and dressing for the concert. The North Country Singers are also using the rooms for warm up. The parents of these Queensbury students are in awe of our beautiful facility. Again, why would we change it? It works for everyone.

I feel passionately that losing a room downstairs would severely impact the music programs that we offer the children and adults in our community. Please do not move forward on this idea. Thank you for the opportunity to express my beliefs and feelings on this issue.

### **Glenn Pearsall**

FWIW: Bad idea. Tannery Pond needs to be used exclusively as a community arts center. As the Widlunds understood, properly managed such a facility could stimulate the local economy.

Tannery Pond also needs to be supported by the town board; when is the last time any member of the Town Board even showed up at a Tannery Pond event?

My suggestion would be to move out of the library, and re-invigorate the C. Ernest Noxon building, located in the center of the township or establish something at the Town Highway Garage.

### **Elise and Woody Widlund**

It has just been brought to our attention that once again the Town is considering moving a town office space to Tannery Pond.

Woody and I ask that this letter be the last to be read into the record at the February 2, 2016 Town of Johnsbury Board Meeting.

It has been only 14 Years since Woody and Elise Widlund gave to the Town of Johnsbury a \$3.5 Million building called Tannery Pond. Over the past 14 years

we have given hundreds of thousands in additional financial support.

So why would we do this? We gave this building to the town with the written (somewhere in the Town archives) that this building would be for the benefit and use of Residents of the Town of Johnsburg. The use of the building by Residents was to be free. We know that that part of our gift to the Town has been eroded and any use must be paid for. It saddens us that this is so.

The proposal of ever moving Town offices into Tannery Pond runs counter to everything that our gift stood for!! The presences of Tannery Pond has enhanced the lives of Residents and enhanced the image of Johnsburg as a destination town. Residents have worked hard to continue the visual, musical arts and educational opportunities at Tannery Pond.

We Strongly Suggest the Town of Johnsburg Board:

- 1) sell property to vertically expand Town Hall
- 2) find space in the Library addition ( which we also financially supported)
- Or 3) find empty space in town to rent.

### **Mellissa Mulvey**

I am saddened to hear that a classroom(s) in the downstairs of Tannery Pond Community Center is being considered for Town office employee business. I have lived in the town of Johnsburg for nearly 36 years and having grown up here I know the benefits and opportunities that are afforded to both the young and old of this community as well as neighboring communities because of TPCC, opportunities that did not exist prior to its inception.

TPCC has been and continues to be the home for numerous programs and functions that are comparable to offerings in larger communities. The classrooms and lobby space are ideal for many activities. My children attended Cheerful Crickets pre-school in the downstairs many years ago, which worked beautifully. Since that time, many instructional programs relating to art and nature, music, theatre, dance, yoga and others have and continue to take place in the downstairs classrooms as well as non-instructional activities. I teach some of the programs and am also a parent to children who have participated. I am a music teacher and through sponsorship of the Johnsburg Youth Committee have used the downstairs classrooms for 3 years now to teach piano and guitar lessons. My lessons are usually 1-2 days a week depending on my student's schedules and begin after school during normal business hours. During the summer and school vacations, my

lessons are most often moved earlier in the day. I have also been the musical director for OTTG's youth summer musical workshop for the past 3 years. For one full week the entire downstairs (classrooms, lobby and theatre space) are used from roughly 8:30am to 3:00pm. This program has grown tremendously. Students from Johnsburg, Minerva, North Warren, Indian Lake, Brant Lake and second homeowners whose primary residence is NYC have attended. Parents and families have shared their enthusiasm and delight. I had to turn away students this past summer as we had exceeded our cap. Due to the success of the program OTTG youth musical workshop is scheduled on the calendar for 2 weeks of workshops and performances this summer.

Through the help of the staff at TPCC we are able to provide many activities and events as well as bring renowned guests to TPCC, which brings more people to our town. I would hate to see the activities, classes and events that both the young and old participate in as well as the work that people like myself have worked so hard to create diminish. If one of the rooms downstairs was used as an office space, many of the programs and classes would likely be unable to continue due to noise factors, keeping the piano safe should events other than music be moved to that room and lack of space for events that require the complete use of the downstairs. TPCC is the hub of our town and the classrooms have proven to be extremely valuable. Please consider the impact that utilizing one of the classrooms as a town office space would have on the programs and offerings currently available, especially for the youth in this community.

**Anita L. Abrams & John Elford - Concerned Community Members**

It is our understanding that utilizing space at Tannery Pond for town offices is being considered. We strongly object to such a proposal and/or use as it contradicts the intended use for the Tannery Pond building.

As you know, we became full time residents of Johnsburg in 2006. Our understanding when we chose to move to this town was that Woody & Elise Widlund had donated the monies used for Tannery Pond to enrich the lives of residents by providing a place for visual and musical arts and related educational opportunities as well as to enhance the town's image as a tourist attraction. It was part of what attracted us to the area. Since then, the Tannery Pond Board, other resident volunteers and employed staff have worked hard to successfully continue growth in these areas. The facility is well utilized by community members and cultural groups as it was intended.



The placement of town offices/functions in the building would inhibit its intended use and be detrimental to the town in many other ways. Surely, if additional office space is needed for town business, there are ways to modify spaces in the current building or to rent space in an appropriate place.

**Donna Welch - President, Tannery Pond Center**

Several days ago I learned that Supervisor Vanselow has plans to move the Town Assessor's office from Town Hall to one of the classrooms on the lower level of Tannery Pond Community Center. As President of the Tannery Pond Center, I strongly protest this move. Please read this letter into the minutes at the February 2, 2016 Town Board Meeting in Wevertown.

Mr. Vanselow initially proposed using a lower level classroom for office space last summer when we met, soon after I became President of the Board. I said that I would not say yes or no until I had looked into the issue. At our next meeting, I told him that I could not support his proposal because I had learned that both lower level classrooms are often used, and that using one as an office would interfere with our ability to accommodate many of the activities that the building is used for.

When Tannery Pond was given to the town, it was with the understanding that it would be used as a Community Center for the arts, performances, community gatherings, meetings, and various short term classes and training programs. It is my understanding that it was never intended to provide offices for the town.

Placing any type of office in one of the lower level classrooms would seriously impede or eliminate our ability to offer many of the community activities and professional performances that occur at TPCC. These include such events as local music group concerts and theater performances, the Seagle Colony Children's opera, Wilderness First Aid classes, Adirondack Shakespeare, and the numerous exhibits in the gallery space that attract local and regional residents and visitors to the town, including those who come on the train. Since people who come to Tannery Pond often stop at local businesses when they're in town, a reduction in visitors to Tannery Pond is likely to have a negative impact on local businesses as well.

Placing an office in a lower level classroom would mean a door to the building would need to be unlocked when the Assessor was in. There is no guarantee that these hours would coincide with times when TPC staff, volunteer docents, or the Chamber Director was present. That would jeopardize the safety of the artwork on

display, and probably eliminate our ability to host exhibits. We work hard to ensure the security of all of our exhibit materials, and are currently discussing ways to improve security, not diminish it.

Tannery Pond Community Center is a social, cultural, and economic asset for our community. As my report to the Board last fall showed, with nearly 500 separate activities in just over 12 months, TPCC is well used and widely appreciated. One of Tannery Pond Center's goals is to increase the number and variety of activities in Tannery Pond.

Please do not make a decision to use a lower level classroom as office space. This would seriously curtail the activities we already host, and impede our ability to grow. This would be a major loss for our residents and the business community!

**Judith Brown - Owner of Garnet Studio, President of ACOC, Ski Bowl  
Perennial Garden Coordinator**

I request that this letter be read aloud at your meeting at the Wevertown Hall on Tuesday, February 2, 2016. I will be out of town so I will be unable to attend this meeting.

I have a concern that Tannery pond is being considered for office space. I think that this is a bad idea. We already have the Chamber office and the office for the director. These are good groups that blend cohesively with the use of the building. Tannery Pond was donated to the town for the use of the Johnsbury residents. It is a theater and space for the arts. If you move the Assessor's office to this space, there will be traffic that will be adverse to the use it was intended for. There is no space that is not used by productions in the downstairs area. OTTG uses the classroom space for changing rooms. There needs to be male and female changing rooms.

**Kate Hartley - Johnsbury Youth Committee's School Year Activities  
Coordinator, Art teacher**

I am distressed to hear that one of the downstairs classrooms in the TPCC is being considered for Town office space. I would like to tell you what a unique and valuable resource the connected classroom spaces in the "basement" of Tannery Pond really are, and how sad it would be to lose them.

I have been a teacher and participant in many programs that have fully utilized

these spaces, as well as the “lobby” space. For the past thirteen years children’s programs have used these spaces – the TPCCA Art and Nature Camps, Cheerful Crickets, Cub Scout Pack 36, and currently the JYC for school vacation day camps, and Earth Day Family Activity Days - to be able to accommodate mixed age groups for separating ages or activities, while still being together as a program. The spaces have allowed for teens to try their hand at teaching “independently,” by leading an activity while master teachers are just around the corner. Two of our local teens have chosen to pursue teaching, partly as a result of this experience! Children’s programs can move fluidly from whole group lessons in the lobby, to more focused work in the classroom spaces, without disturbing anyone else using the building, as the downstairs spaces are so wonderfully separate from the offices and auditorium. And, the back room at TPCC is ideal for painting and “messy” activities, as a tarp can fully cover the rug, and hanging strips were installed at TOJ expense expressly for the purpose of drying and displaying work without damage to the walls. I have met with these same groups in other Town spaces, with much less success, as the small classroom sizes at TPCC are ideal for controlling children, “messes” and noise. On occasion, piano lessons, a Youth Program visit on a rainy summer day, or some other activity has been going on at the same time as one of my classes or camps, and we have been able to pleasantly co-exist because the classrooms with their doors closed can accommodate both uses being simultaneous!

The mixed-use classroom spaces have also been used by many adult groups or combined adult/child groups that my children and I have been a part of. The Holiday Children’s Choir and the Our Town Theater Group use the 2 rooms to separate children from adults, or boys from girls for costume changes, or tenors from sopranos for rehearsal prior to performances at TPCC. Wilderness First Aid and rafting outfitters CPR and First Aid certification classes have done the same, having been able to split groups into the smaller rooms for specific requirements. The space is appealing (and more rentable) because of the open, mixed-use feel of the classroom wing downstairs!

I believe that if one of these rooms was converted into a permanent office space, the whole feel of the building would change from one of *potential* and *possibilities* to that of a town office building with an auditorium. We would effectively lose all of the classroom spaces as a result. The future usage of the downstairs spaces would be greatly diminished, as children’s programs, yoga, music and dance would feel the need to be quiet during office hours, (and many program presenters, myself included, would not want to host any art projects in the room that houses the community piano). The back room has also often been invaluable as a place to

store theater sets, drying art projects, supplies, etc. for programs that met on consecutive days. Nighttime programs were still able to use the front classroom during these times.

In the thirteen years that I have lived in North Creek, I have been part of countless programs that thrived in the downstairs classrooms of Tannery Pond Community Center - adult art and craft classes, auctions and sales, craft shows, children's camps, Scouts, after school classes for area teens and children, non-profit committee group meetings, pot luck dinners, weddings, as well as a host of performances. Most of these would not have been able to happen were it not for the two open classroom spaces and lobby adjoining the auditorium at TPCC.

These spaces are an encouragement for programs and performers to come here to North Creek, NY. The "emptiness" of the classrooms allows for programs to function, and continues to inspire myself and others to invent programs to utilize the spaces. Please take the time to consider what we would lose by changing the use of the downstairs classroom wing at Tannery Pond Community Center!

**Mike Corey - Minerva, NY 12851**

It's come to my attention that there is discussion by the Johnsburg Town Board to move the Assessor's Office from the Town Hall into bottom floor classroom space at the Tannery Pond Community Center across the street. I wonder how much investigation the Board may have done in regard to how appropriate this move would be.

As I understand it, for as long as Tannery Pond Community Center has been operating, it's mission has been to serve "..... the community by providing educational, cultural, educational, and social opportunities for all ages". Although it is a Town-owned building, I suspect that at the time it was turned over to the Town of Johnsburg, the Widlands' intended that it be the cultural center of the Town, and not potential space for Town offices.

I've been an active participant in Tannery Pond Community Center activities since it first opened. This includes the Our Town Theatre Group, various educational classes, a great diversity of concerts, an assortment of celebrations, theatrical events, and more. The building has been an amazing addition to the hamlet of North Creek, providing a wonderful venue for educational, cultural, educational, and social opportunities (see above mission statement). This list does not include a Town Assessor's Office.

Please reconsider your plans to relocate the Town of Johnsburg Assessor's Office from the Town Hall to the Tannery Pond Community Center.

**Jeremy Williams**

It was brought to my attention that the Town of Johnsburg may be considering moving Town office space into a Lower Level Meeting Room at Tannery Pond Community Center.

I am aware of many community organizations that utilize the space for events throughout the year. My own children benefit from Kate Hartley's children's camps, Mellissa Mulvey's piano and guitar lessons, Denise Conti's Holiday Children's Choir, and the Our Town Theatre Group's summer children's camp, all of which use the Lower Level Meeting Rooms. It would be a detriment to our community if one or both of these rooms were to be rendered unavailable for a reason such as housing Town office space.

I believe the donors of this magnificent building had no intention of these spaces housing Town government offices, but rather for community organizations to utilize, such as those I've listed above.

**Erwin Morris - Gore Mountain Realty, LLC, Morris Management Group, Summit at Gore Mountain, Inc.**

I just became aware that the Town of Johnsburg is considering the making of a portion of the downstairs of the Tannery Pond Community Center into one or more offices.

I have a few applicable thoughts I would like to share.

First: - My concern is as that of a tax payer. As a tax payer, it is of grave concern to me that the TPCC would ever be used for anything other than its original intended use- as a Town of Johnsburg community center for the Arts, Music, Theater, etc. programs. This type of building is desperately needed and is often used. We as tax payers pay for that type of use. We pay over \$1000+ per week for the TPCC and deserve use and access. We also pay for a Town Hall (which has always been used to house the Town offices. The need for additional space is simple perplexing as we as a Town has grown smaller in population since the buildings' inception). We, as tax payers, also pay for several other buildings in the Town of Johnsburg. I am perplexed again why they would not be utilized if office

space was an issue.

Second: - My great concern regarding the lack of communication. The Town leaders may have been prepared to switch the use of a tax payer owned building without the knowledge and consent of its' taxpayers? The below information shows this action to be illegal.

Third: - My children, and hundreds of others' children and adults alike, use the TPCC every week for its' intended use as a community center to house Theater, Arts, Musical, etc. programs. That would drastically change, if not eliminate, many current programs. These programs are some of the reasons us "younger generation" with children stay or come back to live and contribute to this community. We need more of these programs rather than the elimination of existing ones. Parents also use the entire lower level for Birthday Parties like Llyod Burchs' granddaughters party just a few days ago.

Fourth: After some detailed research, it appears for the Town to change use of any Community Building without the communities consent is not legal.

§ 81-d. Incentive zoning; definitions, purposes, conditions, procedures.

1. Definitions. As used in this section:

1. (a) "Incentives or bonuses" shall mean adjustments to the permissible population density, area, height, open space, use, or other provisions of a zoning ordinance, local law, or regulation for a specific purpose authorized by the legislative body of a city.
2. (b) "Community benefits or amenities" shall mean open space, housing for persons of low or moderate income, parks, elder care, day care, or other specific physical, social, or cultural amenities, or cash in lieu thereof, of benefit to the residents of the community authorized by the legislative body of a city.
3. (c) "Incentive zoning" shall mean the system by which specific incentives or bonuses are granted, pursuant to this section, on condition that specific physical, social, or cultural benefits or amenities would inure to the community

Further:

5. Appeal of action by aggrieved party or parties. Any officer, department, board or bureau of any municipality with the approval of the legislative

body, or any person or persons jointly or severally aggrieved by any act or decision of a planning board, zoning board of appeals or agency created pursuant to the provisions of this section may bring a proceeding by article seventy-eight of the civil practice law and rules in a court of record on the ground that such decision is illegal, in whole or in part. Such proceeding must be commenced within thirty days after the filing of the decision in the office of the city clerk. Commencement of the proceeding shall stay proceedings upon the decision from which the appeal is taken. All issues in any proceeding under this section shall have a preference over all other civil actions and proceedings

Still Further: Amendments made to any zoning ordinance (excluding any map incorporated therein) adopted pursuant to the provisions of this chapter shall be entered in the minutes of the town board; such minutes shall describe and refer to any map adopted in connection with such change, amendment or supplement and a copy, summary or abstract thereof (exclusive of any map incorporated therein) shall be published once in a newspaper published in the town, if any, or in such newspaper published in the county in which such town may be located having a circulation in such town, as the town board may designate, and affidavits of the publication thereof shall be filed with the town clerk. Such ordinance shall take effect upon filing in the office of the town clerk. Every town clerk shall maintain every map adopted in connection with a zoning ordinance or amendment.

It is my hope that this idea is just that and does not indicate a Town decision regarding the use of our beloved Community Center.

The donors of this building had no intention of these spaces ever to house Town government offices, but rather for community organizations to utilize.

After all of the correspondence letters where read Ms. Hogan suggested maybe the board could do a resolution where the Town won't use Tannery Pond Community Center as office space.

### ***RESOLUTION #39-16***

Mr. Olesheski presented the following resolution and moved its passage with a second from Mr. Arsenault to recognize tannery Pond Community Center for the use of Cultural Arts and any current use and not be considered now or in the future office space.

With 2 members voting in favor, the resolution failed. Ayes-2 (Arsenault, Olesheski) Nays- 2 (Stevens, Vanselow)

Ms. Nettle stated that there is grant money from the USDA Rural for Town Halls etc. and would check into that for the Town because the Supervisor needs to have his own office for privacy and just overall everyone needs more space.

On motion of Mr. Olesheski and seconded by Mr. Stevens the meeting was adjourned at 9:08 p.m.

The next regular Town Board meeting will be held at 7:00 p.m. on Tuesday February 16, 2016 at Tannery Pond Community Center, New York.

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Prepared by Jo A Smith, Town Clerk