

**Minutes of the Town of Johnsburg
Regular Meeting
March 17, 2015
Held at the Sodom Community Center, Sodom, NY**

Minutes of the Regular Meeting of the Town Board of the Town of Johnsburg held on Tuesday March 17, 2015 at 7:00 PM at the Sodom Community Center, Sodom, 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
Katharine Nightingale -- Councilwoman
Peter Olesheski, Jr -- Councilman
Jo A Smith -- Town Clerk

ABSENT:

Guests: Beti Spangel, Gretchen Kirby, Robert Nettle, Jim Jones, Kelly Nettle, Christian Holt

APPROVAL OF MINUTES FOR MARCH 3, 2015

RESOLUTION #38-15

Mr. Arsenault presented the following resolution and moved its passage with a second from Mr. Stevens to accept the minutes of the March 3, 2015 regular Town Board Meeting as written.

With 5 members voting in favor, the resolution is declared carried. Ayes-5 (Arsenault, Stevens, Nightingale, Olesheski, Vanselow) Nays- 0

CORRESPONDENCE:

COMMITTEE REPORTS:

Supervisor Vanselow asked if anyone had any committee reports. Mr. Olesheski asked if the Chamber had submitted the appropriate paper work for occupancy tax reimbursement. Supervisor Vanselow stated that they had.

OLD BUSINESS:

PARKING ORDINANCE - Supervisor Vanselow asked the Board if they were ready to pass Local Law #1 of 2015 which is amending Local Law #1-1999.

RESOLUTION #39-15

Mr. Arsenault presented the following resolution and moved its passage with a second from Mr. Olesheski to accept Local Law #1 - 2015 as written.

TOWN OF JOHNSBURG

COUNTY OF WARREN, STATE OF NEW YORK

Local Law #1 of 2015

**A LOCAL LAW OF THE TOWN OF JOHNSBURG, WARREN COUNTY, NEW YORK,
AMENDING LOCAL LAW 1 OF THE YEAR 1999, TO REGULATE PARKING UPON
THE HIGHWAYS WITHIN THE CORPORATE LIMITS OF THE TOWN OF
JOHNSBURG**

Be it enacted by the Town Board of the Town of Johnsbury as Follows:

Section 1 - PREAMBLE AND ENACTING CLAUSE

For the purpose for providing for the safe and orderly use of the public highways within the Town of Johnsbury by the operator of motor vehicles, their passengers and other persons, the Town Board of the Town of Johnsbury, Warren County, New York, duly convened in regular session and having duly held a public hearing thereon, does hereby enact this Local Law pursuant to the authority granted under Section 1660(a) of the Vehicle and Traffic Law of the State of New York.

Section 2 - TITLE

This Local Law Shall be known and cited as the "Traffic Local Law of the Town of Johnsburg".

Section 3 - DEFINITIONS

The definitions set forth in Article 1 of the Vehicle and Traffic Law of the State of New York, as the same may be amended from time to time, are hereby adopted as applicable to this Local Law.

Section 4 - AUTHORITY TO INSTALL TRAFFIC CONTROL DEVICES

The Town of Johnsburg Highway Department shall install and maintain traffic control devices when and as required under the provisions of this Local Law to make effective the provisions of said Local Law and may install and maintain such additional traffic control devices as it may deem necessary to regulate, warn or guide traffic under the Vehicle and Traffic Law of the State of New York subject to the provisions of Sections 1682 and 1684 of that Law.

Section 5 - PARKING, STANDING AND STOPPING

A) There shall be no overnight parking on the east side of Town highway known as Main Street (also known as County Route 77) between November 15 to April 15, between the intersections of said Main Street and New York State Route 28N and Main Street and the Town highway known as "Ski Bowl Road"

B) There shall be no parking on both Wade Avenue and Main Street, on both sides of said streets, for a distance of twenty (20) feet from the intersection of the Town highway known as Wade Avenue and Main Street.

Section 6 - POSTING REQUIREMENTS

The sign authorized by this Local Law to be installed shall be of the types specified and shall be erected and maintained pursuant to the pertinent posting requirements of the Vehicle and Traffic Law of the State of New York, regulations promulgated thereunder and any other statutes and regulations of the State of New York prescribing conditions for the installation of such signs.

Section 7 - REMOVAL AND STORAGE OF VEHICLES

A) Authority to Impound Vehicles - when any vehicle is parked or abandoned on the highway within the Town of Johnsburg during a snow storm, flood, fire or other public emergencies, is found unattended on any highway within the Town of Johnsburg where said vehicle constitutes an obstruction to traffic, or is parked or abandoned on any highway within the Town of Johnsburg where stopping, standing or parking is prohibited, the Town Highway Superintendent of the Town of Johnsburg or an independent contractor employed for that purpose by the Town may cause such vehicle to be removed.

B) Storage and Charges - any removal of any vehicle as provided for in subdivision "A" above, the Town Highway Superintendent or an independent contractor employed for that purpose by the Town may store such vehicle in a suitable location at the expense of the owner. Such owner or person in charge of the vehicle may redeem the same upon payment to the Town of the amount of all expenses actually and necessarily incurred in effecting such removal together with any charges for storage, all such charges to be reasonable under all the circumstances.

C) Notice of Removal - The Town Highway Superintendent shall without delay report the removal and disposition of any such vehicle removed as provided in subdivision "A" above to the Town Clerk of the Town of Johnsbury and it shall be the duty of such Town Clerk to ascertain to the extent possible the owner of such vehicle or person having charge of such vehicle and to notify the owner of the removal and disposition of such vehicle and of the amount which will be required to redeem same to the extent that such amount can be calculated at the time of giving such notice. Such notice shall be in writing and shall be mailed to the address ascertained by such Town Clerk to be the address of such owner or person having charge of such vehicle.

Section 8 - PENALTIES OF VIOLATION OF LOCAL LAW

Every person convicted of a traffic infraction for a violation of any provision of this Local Law which is not a violation of any provision of the Vehicle and Traffic Law of the State of New York shall for a first conviction thereof be punished by a fine of not more than \$50 or by imprisonment of not more than fifteen (15) days or by both such fine and imprisonment; for a second such conviction within eighteen (18) months thereafter such person shall be punished by a fine of not more than \$100 or by imprisonment of not more than forty-five (45) days or by both such fine and imprisonment; upon a third conviction or subsequent conviction within eighteen (18) months after the first conviction such person shall be punished by a fine of not more than \$100 or by imprisonment of not more than ninety (90) days or both such fine and imprisonment.

Section 9 – SEVERABILITY

If any clause, sentence, paragraph, subdivision, section, or part of this Local Law or the application thereof to any person, individual, corporation, firm, partnership, entity, or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section, or part of this Local Law, or in its application to the person, individual, corporation, firm, partnership, entity, or circumstance directly involved in the controversy in which such order or judgment shall be rendered.

Section 10 - REPEALER

All ordinances, Local Laws and part thereof inconsistent with this Local Law are hereby repealed.

Section 11 - EFFECTIVE DATE

This Local Law shall take effect immediately upon filing in the Office of the Secretary of State in accordance with Sections 27 or the Municipal Home Rule Law.

With 5 members voting in favor, the resolution is declared carried. Ayes-5 (Arsenault, Stevens, Nightingale, Olesheski, Vanselow) Nays- 0

YOUTH BASEBALL - Supervisor Vanselow state that Mr. Rob Wing was not completely prepared for tonight's meeting and wouldn't be speaking.

RATIFICATION HELP WANTED FOR PARKS

Supervisor Vanselow requested a ratification for the ad that went in the News Enterprise for help wanted in the Parks Department for this summer.

RESOLUTION # 40-2015

Mr. Arsenault presented the following resolution and moved its passage with a second from Ms. Nightingale to accept the retroactive ad for the Parks Department for summer help.

With 5 members voting in favor, the resolution is declared carried. Ayes-5 (Arsenault, Nightingale, Olesheski, Stevens, Vanselow) Nays – 0

RATIFICATION HELP WANTED FOR JOHNSBURG YOUTH PROGRAM

Supervisor Vanselow requested a ratification for the ad that went in the News Enterprise for help wanted at Johnsbury Youth Program for this summer.

RESOLUTION # 41-2015

Mr. Arsenault presented the following resolution and moved its passage with a second from Mr. Stevens to accept the retroactive ad for the Johnsbury Youth Program for summer help.

With 5 members voting in favor, the resolution is declared carried. Ayes-5 (Arsenault, Nightingale, Olesheski, Stevens, Vanselow) Nays – 0

NEW BUSINESS:

CFA SEWER CONTRACT

Supervisor Vanselow stated that the grant would be 27 thousand dollars for the Map and Plan report for the North Creek Sewer and as soon as he receives that map and plan he will get it to the board. Supervisor Vanselow went on to state that they already have 100 thousand for the materials from the CFA, so the town would only have to pay for the man power for the water line replacement.

BUDGET AMENDMENTS

Supervisor Vanselow went over the following Budget Amendments and stated that he would be checking with Mr. Cork Nestor regarding Tall Timber, The Ledges and Ward Hill escrow funds. Supervisor Vanselow asked that the Town Board accept the budget amendments.

RESOLUTION #42-15

Mr. Olesheski presented the following resolution, and moved its passage with a second from Mr. Arsenault, to accept and approve the following amendments to the 2015 Town Budget:

Budget Amendments March 2015

1	Planning Contractual/Tall Timbers	A80204.7	\$242.12
	Planning Board Fees/Tall Timbers	A2115.7	\$242.12
	Planning Contractual/Taylor Ledges	A80204.6	\$21.50
	Planning Board Fees/Taylor	A2115.6	\$21.50
	Planning Contractual/FSMD	A80204.5	\$94.49
	Planning Board Fees/FSMD	A2115.5	\$94.49
	Planning Contractual/Ward Hill	A80204.4	\$784.07
	Planning Board Fees/Ward Hill	A2115.4	\$784.07

Re-Appropriate 2014 Balances of Planning Escrow Accounts

2	Library CE	L74104	\$7,110.00
	Gifts & Donations	L2705	\$7,110.00

Move Donations from Library Foundation to Appropriation Line to cover payments for purchases

3	Youth Contractual (1099 pymts)	A73104	\$2,500.00
	General Fund Balance	A915	\$2,500.00

Additional appropriation for Youth Activities Coordinator position.

With 5 members voting in favor, the resolution is declared carried. Ayes-5 (Arsenault, Stevens, Olesheski, Nightingale, Vanselow) Nays- 0

MOTION TO PAY WARRANTS

Supervisor Vanselow asked for a motion to pay the warrants.

RESOLUTION #43-15

Mr. Arsenault presented the following resolution and moved its passage with a second from Ms. Nightingale that the following certified bills which have been reviewed by the board members be paid:

General Fund (Total \$ 21,178.43) - Claims #15-149 to 15-177

Highway Fund (Total \$ 2,214.05) - Claims # 15-178 to 15-189

Water District Claims (Total \$ 16,346.39) Claims # 15-194 to 15-200

Public Library Fund (Total \$ 1,137.34) Claims # 15-190 to 15-193

Total all warrants \$ 40,876.21.

With 5 members voting in favor, the resolution is declared carried. Ayes-5
(Arsenault, Stevens, Olesheski, Nightingale, Vanselow) Nays- 0

BEACH DISCUSSION

Ms. Kelly Nessle requested if she could have a few minutes to go over an updated YP Swim Program.

YP Swim Program

Schedule Tuesday, Wednesday, Thursday

Noon Transition:

- Those not staying for swimming, load bus home.
- Those staying, walk to the lower pavilion to have lunch and change clothes

12:45-1:30 Swim instruction

1:30-2:15 Free Swim/Beach play

2:15-2:35 Change

2:35 Load bus

4 counselor for <8

3 counselors for > 8

1 bus driver as counselor for beach supervision

1 WSI

May 1 cut off: If we have not heard from DOH by this time, swim program postponed until 2016.

If program moves ahead:

- Ads in paper, schools, rafting businesses for personnel needed; hiring deadline June 18

- Signs ordered from Garnet Signs
- Safety lines purchased
- Materials for float and docks purchased

Volunteer Days: May 16 and June 6, possibly 27 or 28

- restore bath house
- put out safety lines
- install “docks” and float
- fix chair
- install signs

FUNDING of SWIM PROGRAM

Personnel:

- 3 days/5-week program: \$5593
- 3 days/6-week program: \$6711

Prep Cost Estimates approximately \$2500

- DOH required: \$1500 (lines, signs)
- Program needs:
 - Buddy board \$100
 - Stationary Crib Board: <\$1000
 - Float: \$3500 (Friends money available \$4000)

Personnel: 6711

Prep: 2500

Total: \$9211

PROPOSED SWIM PROGRAM BUDGET

2015 Swim Personnel

Position/Expense	Rate/Hr	Three days/6 weeks	Three days/5 weeks
Aquatics Director/WSI	\$15	54hr=810	45 =675
Lifeguard	\$13.50	54= 729	45=608
7 Counselors	\$10	54=3780	45=3150
Bus Driver/Beach counselor	\$18/10	36=648 27=270	30=540 22.5=225
Total		6237	5198
Total w/withholding		6711	5593

Preparatory Costs estimated

Cost	Estimated Amount
2 Signs	200*
Safety Lines	1500*
Bath house clean up/repair?	?
Buddy Board	100
Chair Umbrella	85
Megaphone	40

TOTAL	\$1925
Float	\$
H-Shaped Docks	\$

RESOLUTION #44-15

Mr. Arsenault presented the following resolution and moved its passage with a second from Mr. Olesheski to conceptually agree to except the updated YP Swim Program.

With 5 members voting in favor, the resolution is declared carried. Ayes-5 (Arsenault, Stevens, Olesheski, Nightingale, Vanselow) Nays- 0

PRIVILEGE OF THE FLOOR

Mr. Bob Nettle inquired about the Local Law Section #5 about no overnight parking. Supervisor Vanselow stated that this law has been already passed and for now we are going to try it, with that wordage.

Mr. Bob Nettle then asked about which fund would be paying for the labor for the water line. Supervisor Vanselow stated is would be coming out of the Water District budget line.

EXECUTVE SESSION

Mr. Olesheski made a motion, with a second from Ms. Nightingale to enter into executive session for the purpose of discussing a contract negotiation at 7:45 pm. All in favor. Motion carried.

Mr. Olesheski made a motion, with a second from Ms. Nightingale to adjourn the executive session at 7:50 pm. All in favor. Motion carried.

No Action taken.

Mr. Olesheski requested putting the agenda on the site more than once, example Home Page, Board Page etc.

Ms. Nightingale requested that e-mail address be set up for all Town Board members through the web site instead of using their personal ones.

On motion of Mr. Olesheski and seconded by Ms. Nightingale, the meeting was adjourned at 7:55 p.m.

The next regular Town Board meeting will be held at 7:00 p.m. on April 21, 2015 at Tannery Pond Community Center, North Creek, New York.

Prepared by Jo A Smith, Town Clerk
