

**Minutes of the Town of Johnsburg  
Organizational Meeting & Regular Meeting  
January 17, 2017  
Tannery Pond Community Center  
228 Main Street  
North Creek, NY 12853**

Minutes of the Organizational Meeting & Regular Meeting of the Town Board of the Town of Johnsburg held on Tuesday January 17, 2017 at 7:00 PM at the Tannery Pond Community Center, 228 Main Street, 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  
Eugene Arsenault -- Councilman  
Arnold Stevens -- Councilman  
Peter Olesheski, Jr -- Councilman  
Katharine Nightingale -- Councilwoman  
Jo A Smith -- Town Clerk

**APPROVAL OF MINUTES FOR DECEMBER 20, 2016**

***RESOLUTION #1-17***

Mr. Arsenault presented the following resolution and moved its passage with a second from Mr. Olesheski to accept the minutes of the December 20, 2016 Regular Town Board Meeting as written.

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

**CORRESPONDENCE:**

1. **Danae Tucker – Letter of Interest - Zoning Enforcement Officer-** Would like to thank you for your appointment as Johnsburg ZEO since 2010. Afternoon / evening hours have continued to work out well for most folds. As always, I am happy to arrange a time to meet for anyone who is unable to come in during regular hours. I am interested in continuing as ZEO for 2017 and would be pleased

to accept an appointment to the position.

**2. William Mosher - Letter of Interest – Animal Control Officer** - I want to thank board members for allowing me to be animal control for 2016. I would be very interested in serving the town of Johnsbury as animal control in 2017.

**3. Cathy Allen – Zoning Board of Appeals** - Would like to retain my seat on the Zoning Board of Appeals thru the next five-year term.

### **ORGANIZATIONAL MEETING BUSINESS for 2017**

#### **The following appointments by the Town Board for 2017:**

Zoning Enforcement Officer - Danae Tucker

Animal Control Officer - Bill Mosher

Attorney for the Town - Matt Fuller

Attorney for the Planning Board - Justin Grassi with Miller, Mannix, Schachner & Hafner, LLC

Health Officer - Dr. John Ruge

#### **Zoning Enforcement Officer**

#### ***RESOLUTION # 2-17***

Ms. Nightingale presented the following resolution and moved its passage with a second from Mr. Olesheski that the Town Board reappoints Danae Tucker as Zoning Enforcement Officer for 2017.

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

#### **Animal Control Officer**

#### ***RESOLUTION # 3-17***

Mr. Arsenault presented the following resolution and moved its passage with a second from Ms. Nightingale that the Town Board reappoints William Mosher as Animal Control Officer for 2017.

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

**Attorney for the Town**

***RESOLUTION # 4-17***

Ms. Nightingale presented the following resolution and moved its passage with a second from Mr. Stevens that the Town Board reappoints Matt Fuller as Attorney for the Town for 2017.

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

**Attorney for the Planning Board**

***RESOLUTION # 5-17***

Mr. Arsenault presented the following resolution and moved its passage with a second from Mr. Olesheski that the Town Board reappoints Justin Grassi with Miller, Mannix, Schachner & Hafner, LLC for the Planning Boards Attorney for 2017.

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

**Town Health Officer**

***RESOLUTION # 6-17***

Mr. Stevens presented the following resolution and moved its passage with a second from Mr. Olesheski that the Town Board reappoints Dr. John Rugge as the Towns Health Officer for 2017.

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

## **DESIGNATIONS**

### **Polling places in the Town of Johnsbury - District # 1 (Wevertown) for all districts**

#### ***RESOLUTION # 7-17***

Mr. Stevens presented the following resolution and moved its passage with a second from Mr. Olesheski that the Town Board approves District #1 (Wevertown) for all districts for the polling site for 2017.

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

### **Official Newspaper for the Town of Johnsbury, 2017 - Sun Community News & The Post Star**

#### ***RESOLUTION # 8-17***

Ms. Nightingale presented the following resolution and moved its passage with a second from Mr. Olesheski that the Town Board name the Sun Community News and The Post Star as their Official Newspapers for the year of 2017.

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

### **Banks as official depositories for 2017 - Community Bank and Glens Falls National**

#### ***RESOLUTION # 9-17***

Mr. Stevens presented the following resolution and moved its passage with a second from Mr. Arsenault that the Town Board to name the Community Bank and Glens Falls National Bank as the official depositories for 2017.

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

**Set mileage compensation for Town Business for 2017*****RESOLUTION # 10-17***

Ms. Nightingale presented the following resolution and moved its passage with a second from Mr. Arsenault that the Town Board agree and accepts 53.5 Cents for mileage compensation for Town Business for 2017.

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

**Bonding and Authorizations*****Adoption of town officers bond for 2017******RESOLUTION # 11-17***

Mr. Arsenault presented the following resolution and moved its passage with a second from Mr. Stevens that the Town Board adopts the following Town Officers bond for 2017 - Supervisor \$45,000 - Account Clerk \$45,000 - Councilman \$45,000 - Superintendent of Highways \$45,000 - All Other employees \$5,000 Deputy Town Clerk \$105,000 - Town Clerk \$105,000

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

**Authorization for payments in advance of audits of claims for postage and public utility services.**

***RESOLUTION # 12-17***

Ms. Nightingale presented the following resolution and moved its passage with a second from Mr. Arsenault that the Town Board authorizes for payment in advance of the audit of claims for postage and public utility services for 2017.

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

Authorize supervisor to extend unexpended balances in their respective accounts for encumbering monies.

***RESOLUTION # 13-17***

Mr. Stevens presented the following resolution and moved its passage with a second from Mr. Olesheski that the Town Board authorize the Supervisor to extend unexpended balances in their respective accounts for encumbering monies for 2017.

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

Authorize town officers to purchase necessary supplies to carry on official duties in amounts not to exceed the budget.

***RESOLUTION # 14-17***

Mr. Arsenault presented the following resolution and moved its passage with a second from Mr. Stevens that the Town Board authorizes Town Officers to purchase necessary supplies to carry on official duties in amounts not to exceed their budget line for 2017.

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

Authorize Supervisor to pay annual dues of Assn. Of Towns when due

***RESOLUTION # 15-17***

Mr. Olesheski presented the following resolution and moved its passage with a second from Mr. Arsenault that the Town Board Authorizes the Supervisor to pay the annual dues for the Assn. Of Towns for 2017.

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

Authorize the Town Clerk to publish, in two issues, a summary of 2016 annual report of Supervisor

***RESOLUTION # 16-17***

Mr. Arsenault presented the following resolution and moved its passage with a second from Mr. Stevens that the Town Board Authorizes the Town Clerk to publish, in two issues of the North Creek Newspaper, a summary of 2016 annual report of Supervisor.

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

**Authorization to place town monies in interest bearing accounts when this can be done without interfering with operation of Town government**

***RESOLUTION # 17-17***

Mr. Olesheski presented the following resolution and moved its passage with a second from Ms. Nightingale that the Town Board gives Authorization to place town monies in interest bearing accounts when this can be done without interfering with operation of Town Government for 2017.

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

**Schedule of regular town board meetings for 2017**

***RESOLUTION # 18-17***

Mr. Stevens presented the following resolution and moved its passage with a second from Ms. Nightingale to schedule the following Regular Town Board meetings for the year of 2017 with the provision that the location and time be included in the tentative agenda: Jan 3 - Wevertown; Jan 17 - Tannery Pond; Feb 7 - Wevertown; Feb 21 - Tannery Pond; Mar 21 - Tannery Pond; April 18 - Wevertown; May 16 - Tannery Pond; June 20 - Wevertown; July 18 - Tannery Pond; Aug 15 - Wevertown; Sept 19 - Tannery Pond; Oct 3 - Wevertown; Oct 17 - Tannery Pond; **Nov 9\* - Wevertown**; Nov 21 - Tannery Pond; Dec 5 -

Wevertown; Dec 19 - Tannery Pond \***THURSDAY**

**Locations:** Wevertown Community Center, 2370 State Route 28, Wevertown, Tannery Pond Community Center, 228 Main Street, North Creek

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

**Schedule the Organizational Meeting Jan 4, 2018 (THURSDAY) at Wevertown Community Center at 7:00 pm**

***RESOLUTION # 19-17***

Mr. Olesheski presented the following resolution and moved its passage with a second from Mr. Arsenault that the Town Board Scheduled the Organizational Meeting Jan 4, 2018 (THURSDAY) at Wevertown Community Center at 7:00 pm

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

**Appointment of Standing Committees 2017**

***RESOLUTION # 20-17***

Mr. Arsenault presented the following resolution and moved its passage with a second from Mr. Stevens to adopt the following Town Board Standing Committees for 2017: Highway - Katie Nightingale and Gene Arsenault; Solid Waste - Arnold Stevens and Katie Nightingale; Fire & EMS - Town Board; Planning & Zoning & Board of Assessment Review & Assessor - Arnold Stevens & Peter Olesheski; Building, Parks & Recreation - Peter Olesheski & Gene Arsenault; Personnel – Peter Olesheski & Arnold Stevens

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

**Highway 284 Agreements**

Supervisor Vanselow went on to state the Superintendent of Highways Daniel Hitchcock has submitted in writing his 284 agreements for 2017.



## ***RESOLUTION # 21-17***

Mr. Olesheski presented the following resolution and moved its passage with a second from Ms. Nightingale to accept the 284 agreement that was submitted by Mr. Hitchcock Superintendent of Highways for the following for 2017:

General Repairs the sum of \$220,000.00 shall be set aside to be expended for primary work and general repairs upon 94 miles of town highways, including sluices, culverts and bridges having a span of less than five feet and boardwalks or renewals thereof.

Permanent Improvements. The following sums shall be set aside to be expended for the permanent improvement of Town highways:

1. Harvey Road – shall be expended not over the sum of \$120,000.00 – Bridge Repair (Abutment's), width of traveled surface 20' – bid accepted 3/4/2016 by Adirondack Developers and Builders, Lake George, NY – Chips Funding

2. Hudson Street – shall be expended not over the sum of \$20,000.00 – Bridge Deck Replacement, width of traveled surface 20' – in house project – Chips Funded

3. Garnet Lake Road – shall be expended not over the sum of \$60,000.00 - Bridge Replacement – Single Lane

4. Hudson Street – distance of 7/10 miles, shall be expended not over the sum of \$80,000.00 – Reclaim and Pave – width of traveled surface 20' – Thickness 3 ½”

5. Numerous Roads – Culvert Replacement - shall be expended not over the sum of \$20,000.00

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

**Committee Reports – No Reports**

**Old Business**

### Occupancy Tax Distribution for 2017

Mr. Olesheski presented the 2017 Occupancy Tax Recommendations that is in the Boards packet.

### ***RESOLUTION #22-17***

Ms. Nightingale presented the following resolution and moved its passage with a second from Mr. Arsenault to award the following recommendations for 2017 Occupancy Tax

<b><u>Occupancy Tax Award Recommendations for 2017</u></b>				
<b><u>Organization</u></b>	<b><u>Project</u></b>	<b><u>Requested Amount</u></b>	<b><u>Recommended Award</u></b>	<b><u>Notes</u></b>
Gore Mtn Chamber	Gore Region Tourist Web Site	\$500.00	\$500.00	Promotes tourism, helps put heads in beds
Upper Hudson Trails Alliance	Race Event Series at Ski Bowl	\$14,341.00	\$8,000.00	Potential to bring many people to Town - generate sales & Occ tax revenue
Gore Mtn Chamber	Johnsburg Gems Hiking Challenge	\$2,920.00	\$2,920.00	Successfully done in other local communities - use new trails
Jburg Fine Arts	NC Mosaic	\$8,250.00	\$6,500.00	Beautification project, visual impact, tourist talking point

Gore Mtn Chamber	ADK Sports/Fitness Expo Booth (Summer & Winter)	\$1,110.00	\$0.00	Town should fund a shared booth out of spring allotment
Whitewater Derby	Derby	\$1,500.00	\$1,500.00	Longest running event in Town, potential to draw tourists
NC Business Alliance	Cruise Nights	\$1,500.00	\$1,500.00	Good concept, successful in other communities, small investment for decent potential
NY Ski Museum	NY Ski Museum & Hall of Fame	\$31,410.00	\$0.00	Unlimited potential, but too early to invest Occ tax money - Town should support
NC Business Alliance	Shuttle	\$9,000.00	\$4,000.00	Still needed for tourists even without Train, Town should invest \$5k from Fund Balance
Tannery Pond Center	Concert & Performance Series	\$8,500.00	\$7,000.00	TPC needs help to put on performances - benefits tourists and locals
NC Depot Museum	Pinted Advertising Material	\$3,500.00	\$3,500.00	First thing Train visitors see, historically important

NC Business Alliance	Hike & Bike Trails	\$8,400.00	\$3,400.00	Want to see Johnsburg become destination for hiking/biking, Town should invest \$5K from Fund Balance
NC Business Alliance	Music By River Concert Series	\$2,000.00	\$1,000.00	Makes use of Riverfront Park, good following by locals, but appeals to visitors too
Our Town Theatre Group	"Lend Me a Tenor"	\$500.00	\$500.00	Want to see TPCC used as much as possible, may draw from Surrounding communities
Gore Mtn Chamber	Nordic Skating Presentation	\$871.00	\$0.00	Not sure of interest level locally, Occ tax money better spent on other projects
Gore Mtn Chamber	Gore Region Coloring Book	\$2,725.00	\$0.00	Fun idea, but doesn't do much to put heads in beds, Occ tax money better spent
North Country Hardship Fund	Waynestock	\$15,000.00	\$0.00	Not sure fireworks necessary, great cause & fun event - Town should use spring allotment to pay for stage

Kjerstia Schilinski	Allen's Antique Engine Show	\$2,000	\$0.00	First time applicant, small event with some potential outside of North Creek - Town should use spring allotment to fund
<b>Total Requests:</b>		<b>\$114,027.00</b>	<b>\$40,320.00</b>	
<b>Available Funds for 2017:</b>		*\$60,738.24		
<b>TOJ Projects (1/3):</b>		*\$20,246.08		
<b>Occ Tax Committee (2/3):</b>		<b>*40,492.16</b>		

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

## **NEW BUSINESS**

### **Hike and Bike Trails & Shuttle**

Mr. Olesheski requested that the Board approve \$5,000 to the Hike and Bike Trails and \$5,000 to the Shuttle out of the fund balance.

### ***RESOLUTION # 23-17***

Supervisor Vanselow presented the following resolution and moved its passage with a second from Mr. Olesheski to approve and accept \$5,000 to the Hike and Bike Trails and \$5,000 to the Shuttle out of the fund balance for 2017.

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

## **USE OF SUPERVISORS ANNUAL REPORT IN LIEU OF ACCOUNTING TO STATE COMPTROLLER**

Supervisor Vanselow requested the use of the Supervisors Annual Report in lieu of accounting to the State Comptroller.

### ***RESOLUTION # 24-17***

Mr. Arsenault presented the following resolution and moved its passage with a second from Ms. Nightingale to authorize the use of a copy of the Supervisor's Annual Report to the New York State Comptroller in lieu of accounting for the year of 2016.

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

### **REPORTS FOR DECEMBER**

#### **SUPERVISORS MONTHLY REPORT**

Supervisor Vanselow stated that the Supervisor's Monthly Report was not available.

#### **ANIMAL CONTROL OFFICER**

Supervisor Vanselow noted that the Animal Control Officer's monthly report for December 2016 from Mr. William Mosher is in the Town Board packets.

#### **ZONING ENFORCEMENT OFFICER**

Supervisor Vanselow noted that the Zoning Enforcement Officer, Danae Tucker's monthly report was not available.

#### **TOWN HISTORIAN**

Supervisor Vanselow noted that the Town Historian, Jo Ann Smith's Annual Report for the year of 2016 is in the Town Board packets.

#### **NORTH CREEK WATER DISTRICT SECRETARY / CLERK**

Supervisor Vanselow asked the Board what they would like to do to fill the

vacancy of the North Creek Water District Secretary / Clerk with the passing of Mr. Lomax. The Board decided to run a Help Wanted ad in the North Creek Newspaper for two weeks looking for someone for the 2017 year.

### **Zoning Board of Appeals**

#### ***RESOLUTION # 25-17***

Ms. Nightingale presented the following resolution and moved its passage with a second from Mr. Arsenault to appoint Ms. Cathy Allen to the Zoning Board of Appeals for a five-year term.

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

#### ***RESOLUTION # 26-17***

Mr. Stevens presented the following resolution and moved its passage with a second from Mr. Arsenault that the following certified bills which have been reviewed by the board members and where paid on January 3, 2017:

***General Fund*** (Total \$30,356.50) - Claims #16-1334; 16-1337 TO 16-1341; 16-1343 TO 16-1352; 16-1354 to 16-1360

***Highway Fund*** (Total \$49,475.75) - Claims #16-1331 TO 16-1333; 16-1335 TO 16-1336; 16-1338; 16-1346 to 16-1347; 16-1353; 16-1356; 16-1358

***Fire Protection District*** (Total \$3,624.47) - Claim #16-1356

***Water District*** (Total \$2,714.46) Claims #16-1342; 16-1347

***Library*** (Total \$1,246.25) - Claim #16-1356; 16-1358

***Trust and Agency*** (Total \$4,145.71) - Claim #16-1346; 16-1347; 16-1358

**Total all warrants \$91,563.14.**

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

## ***RESOLUTION # 27-17***

Ms. Nightingale presented the following resolution and moved its passage with a second from Mr. Olesheski that the following certified bills which have been reviewed by the board members for January 17, 2017 to be paid:

***General Fund*** (Total \$80,964.86) - Claims #16-1362; 16-1365 TO 16-1368; 16-1372 TO 16-1373; 16-1375; 16-1383; 16-1385 to 16-1386; 16-1388; 16-1390 to 16-1391; 16-1393; 16-1397 to 16-1400; 16-1402 to 16-1410

***Highway Fund*** (Total \$5,099.22) - Claims #16-1362 TO 16-1364; 16-1369 TO 16-1371; 16-1374; 16-1376 to 16-1380; 16-1384; 16-1385; 16-1392; 16-1395 to 16-1396

***Water District*** (Total \$5,073.71) Claims #16-1381 to 16-1382; 16-1387; 16-1389; 16-1394; 16-1397

***Library*** (Total \$8.25) - Claim #16-1362

**Total all warrants \$91,146.04.**

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

## **PRIVILEGE OF THE FLOOR**

Mr. Nettle was inquiring about Mill Creek Rec area and that the Town should table the discussion for a month.

Ms. Smith – Town Clerk asked why the Board didn't have the Town Clerk do the Water Department Billing's like all the other towns.

On motion of Mr. Stevens and seconded by Ms. Nightingale, the meeting was adjourned at 8:07 p.m.

The next regular Town Board meeting will be held at 7:00 p.m. on February 7, 2017 at Wevertown Community Center, 2370 State Route 28, Wevertown.



Prepared by Jo A Smith, Town Clerk

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