

**Minutes of the Town of Johnsburg
Regular Meeting
Wevertown Community Center
2370 State Route 28
Wevertown, NY
August 16, 2016**

Minutes of the Regular Meeting of the Town Board of the Town of Johnsburg held on Tuesday August 16, 2016 at 7:00 PM at the Wevertown Community Center, 2370 State Route 28, Wevertown, New York.

REGULAR MEETING

Supervisor Vanselow called the regular meeting to order at 7:00 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
Katharine Nightingale - Councilwoman
Jo A Smith - Town Clerk

APPROVAL OF MINUTES FOR JULY 19, 2016

RESOLUTION # 108-16

Mr. Stevens presented the following resolution and moved its passage with a second from Ms. Nightingale to accept the minutes of the July 19, 2016 Public Hearing and the Regular Town Board Meeting as written.

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

CORRESPONDENCE

North Creek Business Alliance - 21 July 2016 - This letter is written to the Town of Johnsburg Supervisor and Town of Johnsburg Board Members

because of the great concern the North Creek Business Alliance has concerning the ongoing delay of the modification of the existing contract between the Town of Johnsborg and ORDA and the impact that this is having both presently and on the future economy of the Town of Johnsborg, especially as we pursue economic strategies that will work for not just the survival but the thriving of our Business Community. The information session presented by Mike Pratt representing Gore Mountain about its proposed summer and expanded winter operation at Ski Bowl Park given at Tannery Pond Community Center and hosted by the Town of Johnsborg Board saw overwhelming support from the entire community and local businesses. It was the expectation and hope of the community members present than an agreement on an amendment to the Johnsborg /Gore Mountain town park use would be completed in a timely manner. The Town Board needs to come to a reasonable agreement that moves things forward in an expedited manner to ensure the community stays economically viable into the future. It is obvious that the proposed enterprise would require the employment of more employees by Gore Mountain and that there would be more tourists coming to our community to use the proposed attractions and to patronize the existing businesses. Over the last year Gore Mountain has conceded to the major concerns of the community and the Town Board. The Minder Lodge, Pavilions, Ball Fields and Gardens would continue to be completely accessible to the residents of the Town of Johnsborg. The extensive hiking and biking trail system would be open to free and public use and the Town of Johnsborg would be in charge of all of these park amenities. Gore Mountain would utilize the portion of the Ski Bowl Park in the proximity of the Hudson Chair and the Yurt. They would primarily offer lift service based activities. They would improve the site to provide bath rooms, visitor center and food. It is obvious that the visitors utilizing Gore Mountains services would also be using the trails playground and parking. A simple annual flat fee paid to the Town of Johnsborg **"specifically for the upgrades and maintenance to the Ski Bowl Park"** would cover the additional wear and tear on the Park amenities. The Town of Johnsborg derives an economic benefit from the increased employment and tourism related to increased visitors. It is **imperative** that the Town of Johnsborg Supervisor and Board be responsive and expedient in these types of matters that come before it as the bureaucratic process only gets slower as these types of thing move up through county and state agencies. It has come to our attention that this agreement is also being watched by county and state entities to see if they should support the community through granting and assistance. Outside support from the state and county sources

for improvements to the Town of Johnsbury's infrastructure is critical to creating a successful local economy that will support our community into the future. Maintaining the status quo **will not** secure the future of our community as demonstrated by the erosion of the Adirondack communities that surround our Town. We conclude by saying that we feel that it is critical that the Town of Johnsbury local government be responsive - decisive and proactive to ensure a viable community that meets the needs of its residents.

Letter from David Cavanagh - I regret to inform you that I will not continue to be a member of the Town of Johnsbury Assessment Review Board after my current term expires on September 30, 2016. I would like to thank you for giving me the opportunity to serve as a member of the board, and also, to serve the Town of Johnsbury.

COMMITTEE REPORTS

Mr. Olesheski stated that he would like to be appointed the Town of Johnsbury's Safety Officer.

RESOLUTION # 109-16

Mr. Arsenault presented the following resolution and moved its passage with a second from Ms. Nightingale to accept and approve Mr. Peter Olesheski as the Town of Johnsbury's Safety Officer.

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

OLDBUSINESS:

ORDA CONTRACT

Ms. Nightingale went over the changes in the ORDA Contract and there were a few questions regarding the plowing and a head tax. The Board will be changing a few items and then presenting it back to Mr. Pratt.

BOARD OF ASSESSMENT REVIEW DISCUSSION

Mr. Holt presented the following to the Board – "As you all know we have

recently lost two members of our Board of Assessment Review. In order to conduct business, we are currently required to have a quorum of three members, so we **can** function as we stand now. Before we start searching for two replacements, I wanted to take this opportunity to assess the situation and gain input on how we should move forward. I have discussed this matter with many people at the town, county and state level. I have also contacted our remaining BAR members to seek their input and develop consensus. Based on these efforts, I have the following recommendations: Change the composition of the board - Reduce the size of board to three members (minimum required by NYS Real Property Tax Law §523) and create an alternate position (our other boards already have this). - Hold a Public Hearing (if required) & pass a resolution to change local law accordingly. - Aggressively promote vacancy & recruit new members - Put Notice/Ad in the News Enterprise - Post on TOJ Facebook page & Web Site - Communicate opening at local community organizations' meetings (Rotary, Legion, Business Alliance, Seniors, etc.) - Develop list of targeted individuals & aggressively recruit them (RE or Insurance agents, Builders/Contractors, North River Residents, Long-time Residents, etc)

RESOLUTION # 110-16

Mr. Stevens presented the following resolution and moved its passage with a second from Mr. Arsenault to accept and approve, holding a public hearing on September 20, 2016 at Tannery Pond Community Center discuss a proposed Local Law concerning the reduction of the number of Board of Assessment Review members from five to three and the establishment of an alternate board member position on the Board of Assessment Review for the Town.

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

NEW BUSINESS:

SUPERVISOR'S MONTHLY REPORT

Supervisor Vanselow noted that the Supervisors Monthly report for June and July is in the Boards Packet.

RESOLUTION # 111-16

Ms. Nightingale presented the following resolution and moved its passage with a second from Mr. Arsenault to accept and approve, the Supervisors Revised Monthly report for June.

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

RESOLUTION # 112-16

Mr. Olesheski presented the following resolution and moved its passage with a second from Mr. Arsenault to accept and approve, the Supervisors Monthly report for July.

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

ANIMAL CONTROL MONTHLY REPORT

Supervisor Vanselow noted that the Animal Control Officer, Mr. Mosher's July 2016 report was in the Board's Packet.

ZONING OFFICER MONTHLY REPORT

Supervisor Vanselow noted that the Zoning Officer, Ms. Tuckers report #7 - July 2016 was in the Board's Packet.

BUDGET AMENDMENTS

RESOLUTION # 113-16

Mr. Stevens presented the following resolution and moved its passage with a second from Ms. Nightingale to accept and approve, the following Budget Amendments and Corrections for August, 2016

| | | | | |
|---|--------------|--------|------------|------------|
| 1 | Personnel CE | A14304 | \$2,500.00 | |
| | Contingency | A19904 | | \$2,500.00 |

Allocate Contingency Funds for higher than budgeted office supplies expenditures

| | | | |
|---|--------------------|------------|------------|
| 2 | Justices PS A11101 | \$2,500.00 | |
| | Contingency A19904 | | \$2,500.00 |

Allocate Contingency Funds for unbudgeted Court Clerk expenditures

| | | | |
|---|---------------------------|----------|----------|
| 3 | Traffic Control CE A33104 | \$900.00 | |
| | Contingency A19904 | | \$900.00 |

Allocate Contingency Funds for unbudgeted road sign expenditures

| | | | |
|---|---|-------------|-------------|
| 4 | Parks CE A71104 | \$40,000.00 | |
| | Unassigned Appropriated Fund Balance A915 | | \$40,000.00 |

Allocate Fund Balance for Grant expenditures

| | | | |
|---|---------------------|------------|------------|
| 5 | Recycling CE A80904 | \$3,000.00 | |
| | Contingency A19904 | | \$3,000.00 |

Allocate Contingency Funds for higher than budgeted recycling expenditures

| | | | |
|---|--|-------------|-------------|
| 6 | General Repairs CE DA51104 | \$20,000.00 | |
| | Unassigned Appropriated Fund Balance DA915 | | \$20,000.00 |

Per Resolution 104-16 (July 19), appropriate fund balance for addl Item 4.

| | | | |
|---|--|-------------|-------------|
| 7 | Sanitary Sewers CE SW81204 | \$30,000.00 | |
| | Unassigned Appropriated Fund Balance SW915 | | \$30,000.00 |

Appropriate Funds for costs associated with engineering for water related grant projects

Budget Corrections August, 2016

| | | | |
|---|--------------------------|---------|---------|
| 1 | Parks PS A71101 | \$75.00 | |
| | Youth Services PS A73101 | | \$75.00 |

Move Town Lifeguard time to correct line (PR 7/13)

| | | | | |
|---|--------------------------|---------|---------|---------|
| 2 | Medical Insurance EB | A90608 | \$23.87 | |
| | Medical Insurance EB | DA90608 | \$28.21 | |
| | Medical Insurance EB | L90608 | \$2.17 | |
| | Unallocated Insurance CE | A19104 | | \$54.25 |
| | Cash | A200 | \$30.38 | |
| | Cash | DA200 | | \$28.21 |
| | Cash | L200 | | \$2.17 |

Correct posting Dept of Treasury (AP 7/19)

| | | | | |
|---|----------------------|---------|------------|------------|
| 3 | Sanitary Sewers CE | SW81204 | \$1,172.50 | |
| | Source Power Pump CE | SW83204 | | \$1,172.50 |

Correct Posting Cedarwood (AP 7/19)

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

RETROACTIVE CULVERT PURCHASE APPROVAL FOR HIGHWAY DEPARTMENT

RESOLUTION # 114-16

Mr. Arsenault presented the following resolution and moved its passage with a second from Ms. Nightingale to retroactively accept and approve, the purchase of a culvert for the Highway Department.

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

RETROACTIVE PASS THROUGH RAIL GUIDE FUNDING FOR WARREN COUNTY

RESOLUTION # 115-16

Mr. Olesheski presented the following resolution and moved its passage with a second from Ms. Nightingale to retroactively accept and approve, the pass through for the Rail Guide for which Warren County will be reimbursing the Town.

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

EMS DISUSSION

Mr. Connelly did a short presentation regarding the EMS reserve and how they have had a short fall this year and they are wish for \$85,000 reserve incase the contract is broken so that they could cover expenses for a couple of months. The Board stated that they would meet again to discuss.

BREAK THE TAX CAP

RESOLUTION # 116-16

Mr. Olesheski presented the following resolution and moved its passage with a second from Ms. Nightingale to accept and approve holding a public hearing on September 20, 2016 at Tannery Pond Community Center discuss breaking the Tax Cap.

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

SOLAR GRANT FOR THE LIBRARY

Supervisor Vanselow stated that the Library is requesting a letter from the Town in support of applying for state funds / grant for Solar panels for the building.

WARRANTS

Supervisor Vanselow requested for a motion amending resolution #107-16 to Correct Voucher #16-634 which was incorrectly posted to the wrong account.

RESOLUTION # 117-16

Ms. Nightingale presented the following resolution and moved its passage with a second from Mr. Olesheski to accept and approve amending resolution #107-16 to Correct Voucher #16-634 which was incorrectly posted to the wrong account.

With 5 members voting in favor, the resolution is declared carried. Ayes-5

(Stevens, Arsenault, Olesheski, Nightingale, Vanselow) Nays- 0

Supervisor Vanselow then requested for a motion to pay the warrants for Aug 15, 2016 and the Paid of July 27, 2016.

RESOLUTION # 118-16

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

August 15, 2016

General Fund (Total \$43,849.91)- Claims #16-716 to 16-756; 16-792 to 16-802

Highway Fund (Total \$66,625.47) - Claims #16-755 to 16-782; 16-796

Water District (Total \$7,295.25) - Claims # 16-783 to 16-786; 16-796; 16-802

Library Fund (Total \$1,825.45) - Claims #16-787 to 16-791; 16-796

Trust & Agency Fund (Total \$3,300.17) - Claims # 16-796

Total all warrants **\$ 122,896.25**

Abstract Paid for the Period of July 27, 2016 to July 27, 2016

General Fund Claim # 16-707, 16-708, 16-710 total \$9,445.77;

Highway Fund Claim #16-710 Total \$12,258.19;

Water District Claim # 16-710 Total 288.80;

Library claim #16-710 Total 814.67;

Johnsburg EMS Claim #16-709 total \$138,465.30;

Trust & Agency Claim #16-705; 16-710 Total \$3,669.40

Grant Total **\$164,942.13**

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. Delbert Chambers representing the Johnsbury Historical Society, thanked the Board for the placement of the Mathew Brady Plaque on Route 28.

Ms. Judy Brown spoke on behalf of the outreach center.

Ms. Kelly Nettle inquired about the hiring of Kate Hartley for the After School Program.

RESOLUTION # 119-16

Mr. Arsenault presented the following resolution and moved its passage with a second from Ms. Nightingale to accept and approve Ms. Kate Hartley for the after school program starting August 1, 2016 to May 31, 2017 in the amount of \$2,500.00.

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

Ms. Kelly Nettle inquired about the hiring of Ms. Ann Dingman for the Winter Ski Lessons which are held January & February.

RESOLUTION # 120-16

Mr. Stevens presented the following resolution and moved its passage with a second from Mr. Olesheski to accept and approve Ms. Ann Dingman for the Winter Ski Lessons January & February.

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

Ms. Kelly Nettle inquired about allowing Pickle Ball on the smaller Tennis Court at the Park.

RESOLUTION # 121-16

Ms. Nightingale presented the following resolution and moved its passage with a second from Mr. Arsenault to accept and approve Pickle Ball on the smaller Tennis Court at the Park.

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

Ms. Nettle also asked for the Parks Department to put the backboard up on the Basketball court at the Park.

On motion of Ms. Nightingale and seconded by Mr. Olesheski the meeting was adjourned at 9:35 p.m.

The next regular Town Board meeting will be held at 7:00 p.m. on Tuesday September 20, 2016 at Tannery Pond Community Center, 228 Main Street, North Creek, New York.

Prepared by Jo A Smith, Town Clerk