

**Minutes of the Town of Johnsburg  
Regular Meeting  
August 16, 2017  
Wevertown Community Center  
2370 State Route 28,  
Wevertown, NY**

Minutes of the Regular Meeting of the Town Board of the Town of Johnsburg held on Tuesday August 16, 2017 at 7:00 PM at the Wevertown Community Center, 2370 State Route 28, Wevertown, NY.

**Regular Meeting**

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

PRESENT: Eugene Arsenault -- Councilman  
Arnold Stevens -- Councilman  
Katharine Nightingale -- Councilwoman  
Jo A Smith -- Town Clerk

Absent: Supervisor - Ronald Vanselow  
Councilman - Peter Olesheski, Jr

**APPROVAL OF MINUTES FOR REGULAR MEETING JULY 18, 2017**

***RESOLUTION #118-17***

Ms. Nightingale presented the following resolution and moved its passage with a second from Mr. Stevens to accept and approve the minutes of the July 18, 2017 Regular Town Board Meeting.

With 3 members voting in favor, the resolution is declared carried. Ayes-3 (Arsenault, Stevens, Nightingale) Nays- 0

**CORRESPONDENCE:**

**COMMITTEE REPORTS:****Transfer Station**

Ms. Nightingale stated that after talking with area Business and Home Owners she would like to see the Transfer Station closed on Tuesday and Wednesday instead of Thursday and Friday. Ms. Nightingale is also working on adding to the recycle items that the Transfer Station can accept.

***RESOLUTION #119-17***

Ms. Nightingale presented the following resolution and moved its passage with a second from Mr. Stevens to accept and approve effective January 1, 2018 the Transfer Station will be closed on Tuesday and Wednesday.

With 3 members voting in favor, the resolution is declared carried. Ayes-3  
(Arsenault, Stevens, Nightingale) Nays- 0

**OLD BUSINESS****Solar Bid for Town Hall / Library**

Mr. Arsenault explained that they need a Resolution for Solar Bid acceptance for Kasselmann Solar, LLC for the System cost of \$55,000 and labor cost \$15,000 less NYSERDA Incentives of \$10,620

***RESOLUTION #120-17***

Mr. Stevens presented the following resolution and moved its passage with a second from Ms. Nightingale to accept and approve the Solar Bid from Kasselmann Solar, LLC., System cost of \$55,000 and labor cost \$15,000 less NYSERDA Incentives of \$10,620.

With 3 members voting in favor, the resolution is declared carried. Ayes-3  
(Arsenault, Stevens, Nightingale) Nays- 0

Ms. Nightingale stated that she had met with Apex Solar regarding installation of Solar at the Transfer Station. Ms. Nightingale found out that there are different ways in which the Town could go with receiving grants. Ms. Nightingale would like to

know if the Board would like her to meet with other Solar Companies to get their opinion's and information. Mr. Arsenault and Mr. Stevens stated yes.

**Resolution for Highway “Unexpended appropriations in lines DA51204 (Bridges CE) and DA51302 (Machinery EQ) at the end of a fiscal year will be rolled into the respective reserve account, not to exceed a total reserve per account in the amount of \$ 250 th”**

Mr. Arsenault explained that the Bookkeeper would like this clarification resolution done.

***RESOLUTION #121-17***

Ms. Nightingale presented the following resolution and moved its passage with a second from Mr. Stevens to accept and approve Unexpended appropriations in lines DA51204 (Bridges CE) and DA51302 (Machinery EQ) at the end of a fiscal year will be rolled into the respective reserve account, not to exceed a total reserve per account in the amount of \$ 250 thousand.

With 3 members voting in favor, the resolution is declared carried. Ayes-3 (Arsenault, Stevens, Nightingale) Nays- 0

**OSI**

Mr. Arsenault stated that he has been in touch with the OSI Rep. OSI has stated that they are starting to look at other avenues because of the length of time with no answer from the Town. Mr. Arsenault explained to OSI that the Town is waiting to see if the grant goes through or not. It was suggested that the Town accept Sullivan's Island as a demonstration of good faith. Mr. Arsenault contacted the committee and their recommendations is as follows:

DATE: 08-11-2017

OSI PROPERTIES BEING OFFERED TO THE TOWN OF JOHNSBURG  
The Open Space Institute (OSI) properties at the Mill Creek Area include five parcels identified as follows:

*Deed recorded at Warren County Clerk's Office, Liber #1122, pages 170-178  
Tax Map Numbers 66.5-1-8, 102.-2-3.1, 119.-1-22.1, 119.-1-27, 119.-1-30*

The offer from OSI also includes the Sullivan Island property located in the Hudson River just north of North Creek.

The committee suggests that the Town accept the offer of the Sullivan Island property from OSI, as a demonstration of good faith.

We would like the Town to wait on accepting the Mill Creek Area properties to see what the outcome of the grant request is. We are concerned with the costs of public use and management of the property to the Town.

Mr. Stevens stated that he had spoken with Mr. Ovitt about a trail from Dunkley Falls to the Black Hole with trail markers. They believe with a trail it would cut down on the trash in the area. They also, believe with a parking area a lot of the issues would go away.

Mr. Nessel asked what is covered under the grant. Mr. Arsenault said engineering, parking area and walkway.

### ***RESOLUTION #122-17***

**TOWN OF JOHNSBURG  
COUNTY OF WARREN, STATE OF NEW YORK**

Resolution No. 122-17 of 2017

Adopted August 15, 2017

Introduced by Ms. Nightingale  
who moved its adoption

Seconded by Mr. Stevens

**RESOLUTION ACCEPTING DONATION OF PROPERTY TO THE TOWN OF JOHNSBURG FROM  
OPEN SPACE INSTITUTE LAND TRUST, INC.**

**WHEREAS, OPEN SPACE INSTITUTE LAND TRUST, INC.**, (formerly known as “BEAVERKILL CONSERVANCY, INC.”) a not-for-profit corporation under New York law having its principal office at 1350 Broadway, Room 201, New York, New York 10018 (hereinafter referred to as “OSILT”) is the owner in fee simple of certain real property (“Sullivan’s Island”) situated in the Town of Johnsbury, Warren County, New York, consisting of approximately 3.56 ± acres of land and more specifically described as Warren County Tax Map Identification Number 66.5-1-8 (common referred to as the “Sullivan’s Island Property”); and

**WHEREAS**, the Sullivan's Island Property possesses significant scenic, open space and public recreation values (collectively the "Conservation Values"); and

**WHEREAS**, the Conservation Values are of great importance to OSILT, the Town of Johnsburg, and the general public; and

**WHEREAS**, OSILT desires to donate and the Town of Johnsburg desires to acquire the Sullivan's Island Property as dedicated parkland for recreational use by the general public for non-motorized recreational purposes; and

**WHEREAS**, the Town Board of the Town of Johnsburg has determined that the property would be beneficial to the interests and welfare of the citizens of the Town; and

**WHEREAS**, the Town Board desires to authorize the Deputy Supervisor to execute any and all necessary documents to accept the donation of real property described herein and the Town desires to accept the donation of such real property and to dedicate same forever as parkland.

**NOW THEREFORE BE IT:**

**RESOLVED**, that the Town Board hereby accepts the donation from the OSILT of the Sullivan's Island Property; and be it further

**RESOLVED**, that the Town Board authorizes the Deputy Supervisor to execute the necessary documents to affect the acceptance of the Sullivan's Island Property being donated by OSILT upon review of proposed documents and title by the Town Attorney; and be it further

**RESOLVED**, that the Town Clerk is hereby directed to issue a receipt to the Donor, OSILT, acknowledging the Town's Receipt of the donation at closing; and be it further

**RESOLVED**, that said real property shall forevermore dedicated as parkland of the Town of Johnsburg for use as a public park subject to reasonable rules and regulations as the Town Board may from time to time adopt, amend and replace; and be it further

**RESOLVED**, that this resolution shall take effect immediately.

**ROLL CALL VOTE:**

Eugene Arsenault - Councilman  
Katharine Nightingale - Councilwoman  
Arnold Stevens - Councilman

**RED BARN**

Mr. Arsenault stated that the Red Barn will be coming down and he is seeking bids for the removal. Mr. Nessel asked what the Town was going to do with that area afterwards. If they plan on building there, that they might want to check with the State before removal. Mr. Nessel went on to state that once the building is removed that we might not be able to build anything else there because of the setbacks. Mr. Arsenault stated he wasn't sure. Ms. Nightingale will be checking into this.

**NEW BUSINESS****Supervisors Monthly Report – July 2017*****RESOLUTION #123-17***

Mr. Stevens presented the following resolution and moved its passage with a second from Ms. Nightingale to accept and approve the Supervisors Monthly Report for July of 2017.

With 3 members voting in favor, the resolution is declared carried. Ayes-3 (Arsenault, Stevens, Nightingale) Nays - 0

**ACO Monthly Report**

Mr. Arsenault stated that the ACO report for July 2017 was in the Boards packet.

**ZEO Monthly Report**

Mr. Arsenault noted that the Zoning Enforcement Officer, Danae Tucker's monthly report for June & July 2017 was in the Boards Packet.

**WATER RENT**

Mr. Arsenault stated that he had spoken with Mr. Chuck Rawson regarding the maintenance / update that needs to be done on the water system. Mr. Rawson will be getting back in touch with Mr. Arsenault with more information and costs.

Mr. Arsenault spoke with Ms. Lomax regarding the water rents rate which has not been updated since 2003. Ms. Lomax has submitted information / comparison with other Township's and a recommendation to a rate increase.

Mr. Arsenault stated he would like to table the rate increase discussions until Sept to have enough time to go over all the information. Mr. Arsenault stated that the rates will be going up effective Jan 1, 2018.

### **Motion to pay warrants**

#### **Warrant for August 3, 2017**

##### ***RESOLUTION #124-17***

Mr. Stevens presented the following resolution and moved its passage with a second from Ms. Nightingale that the following certified bills which were paid on August 3, 2017:

***General Fund*** (Total \$11,113.96) - Claims #17-763 to 17-765; 17-668 to 17-770; 17-772 to 17-777; 17-779

***Highway Fund*** (Total \$13,360.01) - Claims #17-763; 17-767; 17-771; 17-780 to 17-783

***Water District SW*** (Total \$9,972.80) – Claims #17-663; 17-666; 17-778

***Johnsburg Emergency Squad*** (Total \$90,900.00) – Claims #17764

***Trust & Agency Fund*** (Total \$161.40) – Claims #17-763

**Total all warrants \$125,508.17**

With 3 members voting in favor, the resolution is declared carried. Ayes-3 (Arsenault, Stevens, Nightingale) Nays - 0

##### ***RESOLUTION #125-17***

Ms. Nightingale presented the following resolution and moved its passage with a second from Mr. Stevens that the following certified bills which have been reviewed by the board members for August 15, 2017:

**General Fund** (Total \$34,328.54) - Claims #17-788 to 17-789; 17-807 to 17-808; 17-810; 17-812 to 17-818; 17-820 to 17-822; 17-828 to 17-832; 17-834 to 17-857

**Highway Fund** (Total \$48,716.50) - Claims #17-788 to 17-806; 17-812; 17-819

**Water District SW** (Total \$5,047.57) – Claims #17-788; 17-809 to 17-811; 17-833

**Library Fund** (Total \$882.09) – Claims #17-812; 17-823 to 17-827

**Trust & Agency Fund** (Total \$161.40) – Claims #17-788

**Total all warrants \$89,136.10**

With 3 members voting in favor, the resolution is declared carried. Ayes-3 (Arsenault, Stevens, Nightingale) Nays - 0

Mr. Arsenault stated that the Bookkeeper was on vacation and the checks are locked up in her office, so they won't be printed until she returns next week.

### **PRIVILEGE OF THE FLOOR**

Ms. Smith inquired about the Health Insurance, if that was going to be discussed. Mr. Arsenault stated yes, he would like to discuss it and come up with a Base Plan. Mr. Arsenault explained with the increase, the best base plan would be the MVP Gold.

### ***RESOLUTION #126-17***

Mr. Stevens presented the following resolution and moved its passage with a second from Ms. Nightingale to accept and approve the base plan for Health Insurance, MVP Gold plan.

With 3 members voting in favor, the resolution is declared carried. Ayes-3 (Arsenault, Stevens, Nightingale) Nays - 0

On Motion of Ms. Nightingale and seconded by Mr. Stevens the meeting was adjourned at 8:23 p.m.

The next regular Town Board meeting will be held at 7:00 p.m. on September 19, 2017 at Tannery Pond Community Center, 228 Main Street, Wevertown, NY, NY

Prepared by Jo A Smith, Town Clerk

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