

**Minutes of the Town of Johnsbury Regular Board Meeting January 15, 2013
Held at the Sodom Community Center (Scout Hall), Bakers Mills, NY.**

Minutes of the regular meeting of the Town Board of the Town of Johnsbury held on Tuesday, January 15, 2013 at 7:00pm at the Sodom Community Center (Scout Hall), North Creek, NY. Supervisor Vanselow called the meeting to order at 7:02pm and the pledge to the flag was led by Supervisor Vanselow.

Roll call showed the following persons present: Supv. Ronald Vanselow; Town Councilmen/ Peter Olesheski, Jr, Arnold Stevens; Town Clerk/ William Rawson. Town Councilmen Eugene Arsenault and Katharine Nightingale were absent.

Guests: On attached list

BID OPENING:

The Town Clerk read the Legal Notice for the Scrap Metal Bid as it appeared in the North Creek News-Enterprise edition of December 29, 2012. The Clerk noted that three copies of the bid packet had been sent out to East Side Metals and Recycling, Earth Waste Systems and Northern Car Crushers. There were three bids received. The bids were opened in order of receipt and contained all the appropriate forms. Earth Waste Systems bid \$122.22 per net ton, Northern Car Crushers bid \$75.00 per net ton (bid had additional modification listed) and East Side Metals and Recycling bid \$203.00 per net ton to purchase and remove the scrap metal from the Town of Johnsbury Transfer Station.

(Mr. Arsenault entered the meeting at 7:05pm)

RESOLUTION NO. 19

Mr. Olesheski presented the following resolution and moved its passage with a second from Mr. Stevens to award the Scrap Metal Bid to East Side Metals & Recycling Corp., 2323 State Route 149, Fort Ann, NY, 12827, in the amount of \$203.00 per net ton to purchase and remove the scrap metal from the Town of Johnsbury Transfer Station between January 15, 2013 and December 31, 2013. With 4 members voting in favor, the resolution is declared carried. Ayes-4 (Arsenault, Olesheski, Stevens, Vanselow) Nays - 0

RESOLUTION NO. 20

Mr. Arsenault presented the following resolution, and moved its passage with a second from Mr. Stevens, to accept the minutes of the January 3, 2013 organizational Town Board meeting. With 4 members voting in favor, the resolution is declared carried. Ayes-4 (Arsenault, Olesheski, Stevens, Vanselow) Nays - 0

CORRESPONDENCE:

1. A letter from Mr. William and Mrs. Barbara Ayers regarding highway safety issues on Beach Road in North River. Mr. and Mrs. Ayer request the installation of a speed limit sign and two "blind driveway" signs on that road.
2. A letter from the Town of Johnsbury Library Board of Trustees requesting that the Town Board will confirm the re-appointment of Mr. Lawrence Carr, Mrs. Maria Rinella and Mr. Robert Jeffrey Fosdick to the Town of Johnsbury Library Board of Trustees for a term ending December 31, 2015.

Supervisor Vanselow explained that Mr. and Mrs. Ayer have spoken to both himself and Superintendent of Highways Daniel Hitchcock regarding the signage issue. Supervisor Vanselow said that he believes that Highway Supt. Hitchcock is not opposed to placing the requested signs on Beach Road. Supervisor Vanselow said that there is no speed limit sign on Beach Road and it is unclear if there ever has been.

Supervisor Vanselow said that the cost of the signs would come from the General Fund monies. Mr. Olesheski questioned that signs on Town roads are purchased from the General Fund monies. Supervisor Vanselow said that all signs are paid from the General Funds. Mr. Olesheski said that the Highway Department is tasked with the upkeep of Town roads and that road signage costs should come from the Highway Fund. Mr. Olesheski said that the monies to purchase the signs should come from the Highway Funds and that the Highway employees should install them. Supervisor Vanselow said that it appears that according to NYS law the signs are purchased from General Fund monies; he added that Highway Supt. Hitchcock doesn't seem to be opposed to using Highway personnel to install the signs. Mr. Olesheski said that if the state law says that the General Fund pays for signs that there appears to be no choice. Mr. Stevens said that he would like to have a recommendation from Highway Supt. Hitchcock. Supervisor Vanselow said that he would speak to Highway Supt. Hitchcock and get a recommendation for the next meeting.

Mr. Arsenault asked why there was a charge to the Highway Department for "No Parking" signs on the current warrant. Supervisor Vanselow said that he was not sure as to the reason. Mr. James Jones said that it was possible that the signs are for the turnarounds on Town roads. Mr. Olesheski said he can't believe that the Warren County DPW doesn't pay for signs for County roads. Mr. Olesheski said that he would like to further investigate this issue and he feels that a line should be put in the Highway budget to pay for signs. Mr. Olesheski said that if there was a Highway budget line that it would save the Town Board looking at a request which the Highway Superintendent is more qualified to deal with. Supervisor Vanselow said that he hopes to have some answers for the next Town Board meeting.

Supervisor Vanselow asked if the Town Board members if they wished to act upon the request by the Town of Johnsbury Library Board of Trustees asking that the Town Board confirm the re-appointment of Mr. Lawrence Carr, Mrs. Maria Rinella and Mr. Robert Jeffrey Fosdick to the Town of Johnsbury Library Board of Trustees for a term ending December 31, 2015.

RESOLUTION NO. 21

Mr. Stevens presented the following resolution and moved its passage with a second from Mr. Arsenault that the Town Board of the Town of Johnsbury confirms the re-appointment of Mr. Lawrence Carr, Mrs. Maria Rinella and Mr. Robert Jeffrey Fosdick to the Town of Johnsbury Library Board of Trustees for a term ending December 31, 2015. With 4 members voting in favor, the resolution is declared carried. Ayes-4 (Arsenault, Olesheski, Stevens, Vanselow) Nays - 0

COMMITTEE REPORTS:

OLD BUSINESS:

Supv. Vanselow asked if the Town Board members wished to approve the Agreements to Spend Highway Funds (284) presented by Superintendent of Highways Daniel Hitchcock regarding resurfacing of River Road on the Riparius end of the road (estimated total cost \$91,997.62), the replacement of a culvert on the Back to Sodom Road and general repairs on the 94 miles of Town roads. Mr. Olesheski asked if the issue of posting weight restrictions on River Road following the double chip seal application resurfacing had been explored. Supervisor Vanselow replied that Highway Supt. Hitchcock was not sure at this time if the posting was a legal option. Mr. Robert Nettle asked the meaning of the "Item 1 Agreement" as it was listed on the agenda. Supervisor Vanselow explained that it was the agreement between the Town Board and the Town Superintendent of Highways on the expected costs of Town Road work.

RESOLUTION NO. 22

Mr. Arsenault presented the following resolution, and moved its passage with a second from Mr. Olesheski, to approve of the Agreement to Spend Highway Funds (284) submitted by Highway Superintendent Daniel Hitchcock for the purpose of resurfacing of River Road on the Riparius end of the road (estimated total cost \$91,997.62), the replacement of a culvert on the Back to Sodom Road and general repairs on the 94 miles of Town roads. With 4 members voting in favor the resolution is declared carried. Ayes-4 (Arsenault, Olesheski, Stevens, Vanselow) Nays - 0

Supervisor Vanselow asked that the Town Board authorize the advertisement of the following vacancies on Town boards: of two vacant Board of Assessment Review positions resulting from the expiration of the term of Mr. Victor Sasse and the resignation of Mr. Vincent Schiavone due to his appointment as Town Justice; two vacant positions on the Zoning Board of Appeals and; a vacant position, due to the expiration of the term of chairman Dorothy Osterhout and also, a vacant alternate position on the Planning Board. Supervisor Vanselow said that he has spoken with Andy Flynn of the North Creek News-Enterprise about an article being written in that newspaper regarding the problem of vacancies on Town boards.

RESOLUTION NO. 23

Mr. Stevens presented the following resolution, and moved its passage with a second from Mr. Arsenault, to authorize the Town Clerk to place three separate advertisements for one week in box advertising in the North Creek News-Enterprise for interested individuals to be interviewed for appointment to the two vacant Board of Assessment Review positions; the two vacant positions on the Zoning Board of Appeals and; a vacant full position and also, a vacant alternate position on the Planning Board. Ayes-4 (Arsenault, Olesheski, Stevens, Vanselow) Nays - 0

Supervisor Vanselow updated the Town Board on the Transfer Station rebuild project. Supervisor Vanselow said that there have been delays and discussions with Cedarwood Engineering and difficulties with contacting the contractor. Supervisor Vanselow said that the contractor was working today and that the contractor has said that he plans to have the building

completed by Thursday and has an appointment with the building inspector to obtain a certificate of occupancy next week. Supervisor Vanselow said that the contractor has said that he is on good terms with the individual who is constructing the compactor chute and the connections there should be done soon also. Supervisor Vanselow noted that there is a voucher from the contractor, AB Construction & Environmental, LLC in tonight's warrants and that he would like the Town Board to approve paying that warrant under the condition that the work on the transfer station meets the approval of, the Town's engineering firm after certain conditions and agreements on the timing to complete the project are agreed to by the contractor.

NEW BUSINESS:

Supervisor Vanselow explained that the Supervisor's Monthly Report, for the month of December, 2012, is not yet ready for presentation to the members of the Town Board.

Supervisor Vanselow noted that the monthly report of the Zoning Enforcement Officer, Danae Tucker, for the month of December, 2012, was not in the Town Board members' packets and it is expected that the report will be delivered at the next Town Board meeting.

Supv. Vanselow noted that the 2012 annual report of Town Historian Mrs. Jo Ann Smith was in the Town Board members' packets. Supervisor Vanselow added that the Town has received a large shipment of the Warren County bicentennial magazine and that Town Historian Smith has begun distributing them and that there is a supply available at Town Hall as well.

Supervisor Vanselow noted that the Town Board had recently received the Delaware Engineering contract to act as the operator of the North Creek Water District for 2013 had been distributed to them by email and asked if the Town Board wishes to authorize him to sign a one year contract for the company to continue as the operator of the North Creek Water District for 2013. Mr. Robert Nettle asked what the contract was for. Supervisor Vanselow explained that it was the annual contract with Delaware Engineering to operate the North Creek Water District. Mr. Nettle suggested that the district contract to install meters on buildings in the water district and that the water district apply for funding to make improvements in the district or a sewage system. Supervisor Vanselow said that the Town is in the middle of several grants and that the Town has about \$400,000 in water district grant funding requests and the funds for those requests were transferred by the federal government to relief for Hurricane Sandy.

RESOLUTION NO. 24

Mr. Olesheski presented the following resolution, and moved its passage with a second from Mr. Arsenault, to authorize the Town Supervisor to execute the contract with Delaware Engineering to operate the North Creek Water District for the year of 2013. With 4 members voting in favor, the resolution is declared carried. Ayes-4 (Arsenault, Olesheski, Stevens, Vanselow) Nays - 0

Supervisor Vanselow reminded the Town Board that at the previous meeting guidelines for auditing by the Town Board were given to the Town Board members and that an ad hoc committee composed of Supervisor Vanselow and Mr. Arsenault would audit the books of the Town Clerk, Tax Collection, the Town Justice and the Town Bookkeeper for 2012.

RESOLUTION NO. 25

Mr. Stevens presented the following resolution and moved its passage with a second from Mr. Arsenault that the Town Board acknowledges that Claim Number 2013-80 is replacing voided Claim #2012-1013 in the amount of \$1351.40 payable to Hiram Hollow instead of Warren County treasurer; and further, Claim #2012-1076 shown in the warrant is an incorrect claim number created by the software and is a void; and further, that Claim #2013-84 payable to A.B. Construction and Environmental, LLC. in the amount of \$6,232.24 is authorized to be paid pending approval by Cedarwood Engineering, the Town engineering firm; and further that the following certified bills which have been reviewed by the board members be paid: General Fund- Claim #2013-33 and Claims #2013-35 through Claims #2013-43 and Claims #2013-48 and Claims #2013-49 and Claim #2013-67 through Claim # 2013-78 and Claims #2013-85 (with the foresaid condition for Claim #2013-84) through #2013-87 (\$73,886.95); Highway Fund- Claim #2013-44 and Claim #2013-45 and Claim #2013-47 and Claims #2013-50 through Claim # 2013-59 and Claims #2013-79 and Claim # 2013-80 (\$5,147.98); North Creek Water Dist.- Claim #2013-46 and Claim #2013-66 and Claims #2013-81 and Claim 2013-82 (\$2,918.00); Library Fund- Claims #2013-60 through Claim #2013-65 (\$1,570.65); Capital Projects Funds Claims #2013-35 and Claim #2013-83 and Claim #2013-84 (\$6,740.69); and Trust and Agency Claim #2013-34 (Total \$471.99). Total all warrants \$90,736.26. With 4 members voting in favor, the resolution is declared carried. Ayes-4 (Arsenault, Olesheski, Stevens, Vanselow) Nays – 0

PRIVILEGE OF THE FLOOR

None

A motion to adjourn the meeting was presented by Mr. Arsenault with a second from Mr. Olesheski at 7:30pm. With 4 members voting in favor, the resolution is declared carried. Ayes-4 (Arsenault, Olesheski, Stevens, Vanselow) Nays - 0

The next regular Town Board meeting will be held at 7:00pm on February 5, 2013 at the Wevertown Community Center, Wevertown, New York.

Prepared by William Rawson, Town Clerk