

**Minutes of the Town of Johnsburg Regular Board Meeting September 17, 2013  
Held at the Sodom Community Center (Scout Hall), North Creek, NY.**

Minutes of the regular meeting of the Town Board of the Town of Johnsburg held on Tuesday, September 17, 2013 at 7:00pm at the Sodom Community Center (Scout Hall), North Creek, NY. Supervisor Vanselow called the meeting to order at 7:00pm and the pledge to the flag was led by Supervisor Vanselow.

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

Guests: On attached list

**RESOLUTION NO. 141**

Ms. Nightingale presented the following resolution and moved its passage with a second from Mr. Arsenault to accept the minutes of the September 3, 2013 regular Town Board Meeting and Public hearing on Proposed Local Law #1 of 2013 entitled "Local Law #1 of 2013 of the Town of Johnsburg reducing the number of Planning Board Members from 7 to 5" as written. With 5 members voting in favor, the resolution is declared carried. Ayes-5 (Arsenault, Nightingale, Olesheski, Stevens, Vanselow) Nays - 0

**CORRESPONDENCE:**

1. A letter from Mrs. Gretchen Millington expressing interest in being appointed to the Town of Johnsburg Planning Board.
2. A letter from Mr. Philip Sangster requesting a reduction in the speed limit for Harrington Road in Wevertown which has no posted speed limit and is very narrow with limited sight distances.
3. A letter from NYMIR, the Town of Johnsburg liability insurance carrier notifying the Town that over the next two years, upon renewal of the policy, the Town will receive an interest distribution of \$1,143.00 annually.
4. A letter from Mr. Hal Payne, Adirondack Tri County Nursing and Rehabilitation Center Director, requesting the use of the Tannery Pond Community Center with the fees waived for the purpose of a hosting their "Sportsman's Raffle" fund raiser on October 26, 2013.

Supervisor Vanselow said that he had thought that Mrs. Gretchen Millington was going to be here tonight. Supervisor Vanselow asked if the Town Board wished to appoint or to schedule interviews regarding an appointment and suggested that scheduling a time for interviewing and discussing the position and appointment as an alternate member. Mr. Olesheski said he thought having an interview and discussion was a good idea in order to explain the duties of the alternate

member and the probability of being appointed as a full member of the Planning Board when a vacancy. Supervisor Vanselow said that he would ask Mrs. Gretchen Millington to come to the October 1, Town Board meeting to speak with the Town Board.

Supervisor Vanselow asked if the Town Board wished to act upon the request from Mr. Philip Sangster asking for a speed limit reduction on Harrington Road which has limited sight distances and therefore, merits a speed limit reduction as do most of the Town roads. Mr. Olesheski said that he believed that any time the Town board receives a letter like this from residents on a Town Road that the Town Board should authorize the reduction. Mr. Arsenault asked if Town Roads were under NYS Department of Transportation jurisdiction. Supervisor Vanselow said that all the roads in Town were under DOT jurisdiction.

#### RESOLUTION NO. 142

Mr. Arsenault presented the following resolution and moved its passage with a second from Mr. Stevens to ask for a speed limit reduction to 35 miles per hour for the entire length of Harrington Road, a Town Road in the hamlet of Wevertown, between State Route 28 and State Route 8; and further, that the Town Board wishes to pursue this request due to the fact that Harrington Road is both narrow and has limited sight distance in many points and with no posted speed limit and therefore, a speed limit of 55 miles per hour. With 5 members voting in favor, the resolution is declared carried. Ayes-5 (Arsenault, Nightingale, Olesheski, Stevens, Vanselow) Nays - 0

Supervisor Vanselow asked if the Town Board wished to act upon the request from the Adirondack Tri County Nursing and Rehabilitation Center Director Hal Payne to use the Tannery Pond Community Center with the fees waived for the purpose of a fund raiser for that organization.

#### RESOLUTION NO. 143

Mr. Olesheski presented the following resolution, and moved its passage with a second from Mr. Arsenault to allow the Adirondack Tri County Nursing and Rehabilitation Center to use the Tannery Pond Community Center, on October 26, 2013, with the fees waived for the purpose of hosting their "Sportsman's Raffle" fund raiser. With 5 members voting in favor, the resolution is declared carried. Ayes-5 (Arsenault, Nightingale, Olesheski, Stevens, Vanselow) Nays - 0

#### COMMITTEE REPORTS:

Supervisor Vanselow asked for a report from the Personnel Committee (Nightingale, Stevens) of their meeting with Mr. Christian Holt to discuss his appointment as Town Assessor for a term of six years and for a recommendation from the Personnel Committee on the appointment of Town Assessor.

Mr. Stevens explained that the Personnel Committee met with interim Assessor Christian Holt to discuss his appointment as the Town Assessor for a term of six years. As a result of the discussion both the Personnel Committee and Mr. Holt are agreeable to the appointment of Mr. Holt as Town Assessor for a term of six years beginning on October 1, 2013.

Mr. Olesheski asked for the terms of his compensation. Supervisor Vanselow said that he has yet to finalize the compensation including leave and salary. Mr. Olesheski asked if this was similar to the package paid to former Town assessor Ann Deppe. Mr. Olesheski said that he would like the compensation to be such that it would encourage a good employee to stay in the position.

Mr. Stevens asked if Mr. Holt had anything to add to the discussion. Mr. Holt said that he did not.

#### RESOLUTION NO. 144

Mr. Stevens presented the following resolution and moved its passage with a second from Ms. Nightingale to appoint interim Town Assessor Mr. Christian Holt as Town Assessor for a term of six years beginning on October 1, 2013. With 5 members voting in favor, the resolution is declared carried. Ayes-5 (Arsenault, Nightingale, Olesheski, Stevens, Vanselow) Nays - 0

Mr. Olesheski asked to discuss the Occupancy Tax Committee at this time. Supervisor Vanselow agreed that this was a good time to discuss that committee. Mr. Olesheski said that if it pleased the other Town Board members that he was willing to be chairman of the Occupancy Tax Committee again this year. Mr. Olesheski said that he has been in contact with individuals, particularly from the North Creek Business Alliance who are interested in possibly becoming members of the Occupancy Tax Committee and also in possibly redoing the application and decision making process. Mr. Olesheski said that he would like to hold an informal meeting with those interested in being on the Occupancy Tax Committee and also discussing possible changes to the application process and then bringing as much information as possible back to the Town Board at the October 1, meeting for action by the Town Board.

Mr. Stevens asked if Mr. Olesheski planned to keep the Occupancy Tax Committee about the same size as last year. Mr. Olesheski said that he was not opposed to growing the size of the committee; but the members will need to be able to meet two or three times between now and the time for getting recommendations to the Town Board. Mr. Olesheski said that he would like to try to get the Town of Johnsbury method nearer that of Warren County. Supervisor Vanselow said that he had brought this up at a recent North Creek Business Alliance meeting and there were several individuals who were interested in being on the Occupancy Tax Committee. Mr. Stevens asked if any Town Board action was required at this time. Mr. Olesheski said that he would like to set up an informal meeting and gauge interest in being members and have the Town Board take action regarding the Occupancy Tax Committee at the next Town Board meeting.

#### OLD BUSINESS:

Supervisor Vanselow reminded the Town board that at the previous meeting he had given the Town board members a letter from the Adirondack Park Local Government Review Board requesting funding from Adirondack municipalities to replace funding which was stripped from the agency by the governor; this is a state agency designed to serve as a counter to the Adirondack Park Agency. Supervisor Vanselow asked if the Town Board members had come to any decision on the funding request.

Mr. Arsenaault asked if Supervisor Vanselow had spoken to any other Town supervisors about the request. Supervisor Vanselow said that he had not. Supervisor Vanselow said that he knows that the Adirondack Park Local Government Review Board is state funded; he added that he has spoken with William Thomas, an Adirondack Park Agency member about the funding and Mr. Thomas said that he has heard nothing about the funding cut. Mr. Arsenaault asked if the budget of the Adirondack Park Local Government Review Board would be available. Supervisor Vanselow said that he believed that it would as it is a state funded agency.

Mr. Stevens asked if this was the first time that the Adirondack Park Local Government Review Board has requested funding. Supervisor Vanselow said that it was as far as he knew. Mr. Arsenaault asked that Supervisor Vanselow check with Adirondack Park Local Government Review Board director Fred Monroe and ask what effect they have on the Town of Johnsbury; Mr. Arsenaault said that he was looking for a compelling reason to grant the funding request. Mr. Arsenaault asked how successful the Adirondack Park Local Government Review Board has been. Ms. Nightingale asked how often they have effected a change. Supervisor Vanselow said that he would investigate the Adirondack Park Local Government Review Board further and hold the item over for the October 1, Town Board meeting.

Supervisor Vanselow reported an update from Highway Superintendent Daniel Hitchcock to the Town Board regarding the maintenance on the River Road. Supervisor Vanselow explained that Highway Supt. Hitchcock has modified his plans regarding the repairs on River Road; the original plan was to apply two miles of "double chip seal". Supervisor Vanselow reported that Highway Supt. Hitchcock has changed his plan due to the emergency repairs required from the flooding; now that Highway Supt. Hitchcock is able to continue the work on River Road the weather is not conducive to performing the work. Highway Supt. Hitchcock is now planning to do a base coat of blacktop and cutting the distance to be coated down to one mile and has completed the culvert work. The mile would be from State Route 8 to approximately Vacar Road.

Mr. Arsenaault asked if the "Chip's" funding would roll over to next year. Supervisor Vanselow said that it would, but that the asphalt work would be more expensive than the "double chip seal". Mr. Olesheski asked why not wait on the coating until next year. Supervisor Vanselow said that he can't answer all of the questions for Highway Supt. Hitchcock. Supervisor Vanselow said that he understands that a portion of River road has been scraped and needs some form of top coating. Ms. Nightingale asked if there was any additional information. Supervisor Vanselow said that Peckham Industries can only produce asphalt up to a certain level and most of their remaining inventory is being sent to State Route 28N near Newcomb.

Mr. Olesheski said that River road is in far better shape at this time than it had been. Mr. Olesheski said that he has some questions of Highway Supt. Hitchcock and he will call him to discuss this. Supervisor Vanselow said that he thinks that it is possible that Highway Supt. Hitchcock is trying to get some work completed now that he will not have the time and manpower to complete next year. Mr. Arsenaault asked if the asphalt coat was a better product than the "double chip seal". Supervisor Vanselow said that the asphalt was more durable than the "double

chip seal". Mr. Olesheski said that Highway Supt. Hitchcock was so adamant that "double chip seal" was the way to go. Mr. Arsenault asked if Highway Supt. Hitchcock needed the Town Board to authorize this change. Supervisor Vanselow said that Highway Supt. Hitchcock will submit a new 284 agreement to expend Highway funds form. Mr. Olesheski said that Highway Supt. Hitchcock hasn't formally asked to make the change. Supervisor Vanselow said that Highway Supt. Hitchcock has not submitted that form.

#### NEW BUSINESS:

Supervisor Vanselow informed the Town Board of a request from Donna and Edward Welch, property owners on Dankers Road, that they be allowed to bury a power line in the Town of Johnsbury right of way along Dankers Road, a Town road, so that they will be able to have electrical power for their residence on that road. Supervisor Vanselow explained that the Welch's will pay for the installation of the power line. Mr. Welch explained that the cost for a power line installation to their residence by National Grid would be approximately \$90,000.00. As an alternative the Welches would like to install a buried electrical line along Dankers from South Johnsbury Road for a distance of approximately 2000 feet buried at a depth of three feet and the power line will be run inside a conduit tube. Mrs. Welch said that the installation will be installed by their contracted electrician and under National Grid specifications and National Grid will inspect the installation prior to its being made live. Mrs. Welch said that the three feet of depth was a recommendation from their electrical contractor and Highway Superintendent Daniel Hitchcock and that the National Grid guideline was two feet.

Mr. Arsenault asked if there were any culverts in the area where the line will be run. The Welches said that there was not a culvert in the line. Mr. Olesheski asked if the line would be inspected by Highway Supt. Hitchcock. Supervisor Vanselow said that he has discussed this with Highway Supt. Hitchcock; Supervisor Vanselow said that Highway Supt. Hitchcock had said that as long as the Welches stayed within the National Grid guidelines and away from any Town of Johnsbury road culverts so that there would be no problem when the culverts need to be replaced. Mr. Welch said that there are no culverts in the area of the proposed line. Mrs. Welch said that they would be glad to work with Highway Supt. Hitchcock. Supervisor Vanselow said that Highway Supt. Hitchcock seems to be supportive of the project; he added that he would like the Welches to review the list of culverts with Highway Supt. Hitchcock as they are sometimes difficult to see.

Supervisor Vanselow asked who would have control of the documentation (map) for the power line. Mrs. Welch said that they will put in the metal strip to help in finding the line and would register with Dig Safe. Ms. Nightingale said that she thought that National Grid marked private lines. Mr. James Jones said that National Grid doesn't mark the lines.

Ms. Nightingale asked if there are properties owned by other individuals that the Welches would pass with this line and asked if those property owners would be able to connect into the line. Mrs. Welch said that there were other property owners and that she and her husband would be glad to cooperate with other property owners.

## RESOLUTION NO. 145

Mr. Olesheski presented the following resolution and moved its passage with a second from Ms. Nightingale to allow Edward and Donna Welch to install a buried electrical line in the Town of Johnsbury right of way for a distance of approximately 2000 feet on Dankers Road, starting from South Johnsbury Road, and buried at a depth of three feet, with the entire cost of the installation to be borne by the Welches; and further, that the Welches will provide certificates of insurance in case of damage to Town property and obtain all necessary permits to work in the Town right of way. With 5 members voting in favor, the resolution is declared carried. Ayes-5 (Arsenault, Nightingale, Olesheski, Stevens, Vanselow) Nays - 0

Supervisor Vanselow explained that the Supervisor's Monthly Report, for the month of August 2013 was in the Town Board members' packets.

Supervisor Vanselow informed the Town Board that he had received two requests from the Johnsbury Historical Society to install a historical marker about John Thurman on South Johnsbury Road and also to move the historical marker about Matthew Brady from the Wevertown Community Center site to a Pasco Road location which the Johnsbury Historical Society has negotiated with the NYS Department of Transportation. Supervisor Vanselow said that he was going to offer the assistance of the Parks and Buildings crew to assist with the movement of the marker. Mr. Robert Nettle asked what the marker on South Johnsbury Road was explaining. Supervisor Vanselow said that he was not sure. Town of Johnsbury Historian Jo Ann Smith said that she believed that it was the location of his house.

Supervisor Vanselow reminded the Town Board that there had been previous discussions regarding the replacement of the windows in the Wevertown Community Center due to their no longer retaining their insulating value. Supervisor Vanselow explained that Parks and Buildings Superintendent Matthew Olden has obtained a quote from T. C. Murphy Lumber Co. to replace the nine windows on the main floor of the building which need to be replaced. Supervisor Vanselow said that he would obtain a second quote as required by the Town Procurement policy; but in any case the cost would not exceed the quote already received. Supervisor Vanselow said that he was seeking permission from the Town Board to spend up to \$2000.00 to replace the nine windows on the main floor of the Wevertown Community Center. Mr. Stevens said that as the quote was received from the company which he works for he would abstain from the vote.

Mr. Arsenault asked if the installation would be done by Town employees. Supervisor Vanselow replied that the installation would be done by the Parks and Buildings crew. Mr. Olesheski asked about the time frame. Supervisor Vanselow said that the delivery would be about one to two weeks after the order was placed. Mr. Olesheski asked about replacing the windows in this building (Sodom Community Center [Scout Hall]). Supervisor Vanselow said that he is planning to get a quote on the windows for this building as well.

## RESOLUTION NO. 146

Mr. Olesheski presented the following resolution and moved its passage with a second from Mr. Arsenault to authorize the purchase of nine new windows to replace the nine windows on the main floor of the Wevertown Community Center at a cost of no more than \$2000.00. With 4 members voting in favor, the resolution is declared carried. Ayes-4 (Arsenault, Olesheski, Nightingale, Vanselow) Nays - 0 Abstained - 1 (Stevens)

## RESOLUTION NO. 147

Mr. Stevens presented the following resolution and moved its passage with a second from Mr. Arsenault that that the following certified bills which have been reviewed by the board members be paid: General Fund- Claim #2013-785\* through Claim #2013-793 and Claim #2013-807 through Claim #2013-815 and Claim#2013-827 (\$26,727.56) (\* Claim #2013-785 already paid \$2283.29 - National Grid August 2013 Street lighting); Highway Fund- Claim #2013-793 through Claim#2013-802 and Claim #2013-816 through Claim #2013-821 and Claim#2013-828 (\$42,744.86); North Creek Water Dist.- Claim #2013-806 and Claim #2013-809 and Claim#2013-822 and Claim #823 (\$2622.67); Capital Projects Funds Claim #2013-790 and Claim#2013-824 through Claim #2013-826 and Claim #2013-829 (\$2,438.32); Library Fund- Claim #2013-803 through #2013-805 (\$744.66); Total all warrants \$76,135.37. With 5 members voting in favor, the resolution is declared carried. Ayes-5 (Arsenault, Nightingale, 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 Ms. Nightingale at 7:45pm. With 5 members voting in favor, the resolution is declared carried. Ayes-5 (Arsenault, Nightingale, Olesheski, Stevens, Vanselow) Nays - 0

The next regular Town Board meeting will be held at 7:00pm on October 1, 2013 at the Wevertown Community Center, Wevertown, New York.

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Prepared by William Rawson, Town Clerk