

**Minutes of the Town of Johnsburg
Organizational Meeting
January 3, 2019
Wevertown Community Center
2370 State Route 28, Wevertown, NY**

Minutes of the Organizational Meeting of the Town Board of the Town of Johnsburg held on Thursday, January 3, 2019 at 7:00 PM at the Wevertown Community Center, 2370 State Route 28, Wevertown, NY

Supervisor Hogan called the meeting to order at 7:00 p.m. The pledge to the flag was led by Councilman Olesheski.

PRESENT: Andrea Hogan – Supervisor
Eugene Arsenault -- Councilman
Arnold Stevens -- Councilman
Peter Olesheski, Jr -- Councilman
Laurie Arnheiter – Councilwoman
Kate Lorah -- Town Clerk

Correspondence:

The Town Clerk summarized the following correspondence:

- Danae Tucker – Letter of interest for appointment to ZEO
- Christian Holt – Letter of interest for appointment to ZEO
- New York Association of Towns – Letter regarding legislative agenda and delegates.
- Email correspondence from Johnsburg Town Highway Superintendent regarding truck box purchase. *The town clerk stated that in the interest of saving paper, we do not copy all correspondence for the public. If anyone wants a copy of any particular item, just ask.*

Appointments by the Town Board which will be a one-year term:

- **Zoning Enforcement Officer** – 2 applications were received for the position of Zoning Enforcement officer. Councilwoman Arnheiter asked how long Danae Tucker had been Town of Johnsburg ZEO. Supervisor Hogan answered since 2010.

Councilman Olesheski stated he felt more comfortable with Danae, that he appreciated Christian Holt's interest in the position.

- **Animal Control Officer** – Councilman Olesheski questioned the lack of a letter of interest from Mr. Mosher. Supervisor Hogan informed the board that she had a telephone conversation with Mr. Mosher in which he expressed interest in the position. Councilman Olesheski stated that the board had agreed seven years prior to require a letter from applicant. He also stated he did not want the town to undergo a period of time without animal control. For lack of another applicant, it was agreed by the board to move the appointment forward. The Supervisor will follow up with a formal letter to follow.
- **Legal Counsel to the Town** – Meyer and Fuller
- **Legal Counsel to the Planning Board** – Miller, Mannix, Schachner and Hafner
- **Health Officer** – Dr. Ruge
- **Safety Officer** – Peter Olesheski
- **Budget Officer** – Andrea Hogan

RESOLUTION # 1-19

Councilman Olesheski presented the following resolution and moved its passage with a second from Councilman Arsenault to approve and accept the following appointments of the board for a one-year term:

- Zoning Enforcement Officer – Danae Tucker
- Animal Control Officer - William Mosher
- Legal Counsel to the Town – Meyer and Fuller
- Legal Counsel to the Planning Board – Miller, Mannix, Schachner and Hafner.
- Health Officer – Dr. Ruge
- Safety Officer – Peter Olesheski
- Budget Officer – Andrea Hogan

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

Appointments by the Town Clerk which will be a one-year term:

Town Clerk Kate Lorah presented the following appointments which will be for a period of one year.

- Deputy Town Clerk – Joann Morehouse
- Deputy Registrar – Joann Morehouse

Appointments by Supervisor to Standing committees which will be a one-year term:

Supervisor Hogan presented the following appointments to standing committees for 2019:

Standing committees 2019

Highway – Gene Arsenault and Peter Olesheski

Solid Waste – Arnold Stevens and Andrea Hogan

Fire & EMS – Peter Olesheski and Arnold Stevens

Planning & Zoning – Laurie Arnheiter and Gene Arsenault

Buildings, Parks & Recreation – Laurie Arnheiter and Peter Olesheski

Personnel – Arnold Stevens and Andrea Hogan

Marketing and Economic Development – Laurie Arnheiter and Gene Arsenault

- Marketing/Tourism committee – Deb Morris, Emily Stanton, Daphne Taylor, John Stafford, Sharon Taylor

Occupancy Tax – Peter Olesheski

- Emily Stanton, Dwayne Spitzer, John Stafford, David Skibinski, Deb Zack, Bernadette Speech

Water – Laurie Arnheiter

Supervisor Hogan explained that she had discussions with all board members that led to the committee appointments and that she hoped everyone was comfortable and excited about their committees. She had not found a second for the water committee and called for a volunteer. Councilman Arsenault stated he would join that committee.

Official Designations for 2019:

Supervisor Hogan presented the following designations for the year 2019:

- **Designate dates, times and locations for Regular Town Board Meetings:**

All meetings will begin at 7:00 PM

Tuesday, January 15 – Tannery Pond Community Center

Tuesday, February 5 – Wevertown Community Center

Tuesday, February 19 – Tannery Pond

Tuesday, March 5 – Wevertown

Tuesday, March 19 – Tannery Pond

Tuesday, April 2 – Wevertown

Tuesday, April 16 – Tannery Pond

Tuesday, May 21 – Wevertown

Tuesday, June 18 – Tannery Pond

Tuesday, July 16 - Wevertown

Tuesday, August 20 – Tannery Pond

Tuesday, September 3 – Wevertown

Tuesday, September 17 – Tannery Pond

Tuesday, October 1 – Wevertown

Tuesday, October 15 – Tannery Pond

Thursday, November 7 – Wevertown

Tuesday, November 19 – Tannery Pond

Tuesday, December 3 – Wevertown

Tuesday, December 17 – Tannery Pond

- **Polling places in the Town of Johnsbury - District # 1 (Wevertown)** for all districts.
- **Official Newspapers for the Town of Johnsbury, 2019 - Sun** Community News and Post Star.
- **Banks as official depositories for 2019 – Community Bank and Glens Falls National**
- **Designate Andrea Hogan and Kate Lorah** as delegates to the Association of Towns annual meeting February 17 – 20 in New York City and approve expenses not to exceed \$1500.
- **Designate Andrea Hogan** as delegate to Adirondack Association of Towns and Villages

RESOLUTION # 2-19

Mr. Arsenault moved the following resolution with a second from Mr. Olesheski to approve the following designations:

- **Designate dates, times and locations for Regular Town Board Meetings:**

All meetings will begin at 7:00 PM

Tuesday, January 15 – Tannery Pond Community Center

Tuesday, February 5 – Wevertown Community Center

Tuesday, February 19 – Tannery Pond

Tuesday, March 5 – Wevertown

Tuesday, March 19 – Tannery Pond

Tuesday, April 2 – Wevertown

Tuesday, April 16 – Tannery Pond

Tuesday, May 21 – Wevertown

Tuesday, June 18 – Tannery Pond

Tuesday, July 16 - Wevertown

Tuesday, August 20 – Tannery Pond

Tuesday, September 3 – Wevertown

Tuesday, September 17 – Tannery Pond

Tuesday, October 1 – Wevertown

Tuesday, October 15 – Tannery Pond

Thursday, November 7 – Wevertown

Tuesday, November 19 – Tannery Pond

Tuesday, December 3 – Wevertown

Tuesday, December 17 – Tannery Pond

- **Polling places in the Town of Johnsbury - District # 1**
(Wevertown) for all districts.
- **Official Newspapers for the Town of Johnsbury, 2019 - Sun**
Community News and Post Star.
- **Banks as official depositories for 2019 – Community Bank and**
Glens Falls National

- **Designate Andrea Hogan and Kate Lorah** as delegates to the Association of Towns annual meeting February 17 – 20 in New York City and approve expenses not to exceed \$1500.
- **Designate Andrea Hogan** as delegate to Adirondack Association of Towns and Villages

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

Set mileage compensation for town business for 2019 at IRS rate of 0.58

RESOLUTION # 3-19

Mr. Stevens presented the following resolution and moved its passage with a second from Mr. Olesheski to accept the IRS mileage rate of .58 cents per mile.

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

Schedule the 2020 Organizational Meeting

RESOLUTION # 4-19

Councilman Arsenault presented the following resolution and moved its passage with a second from Mr. Stevens to set the date for the 2020 Organizational Meeting on Tuesday, January 7 at 7:00 PM, Wevertown Community Center.

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

Annual Bonding and Authorizations

Supervisor Hogan presented the following for acceptance by the board:

Bonding and Authorizations

- Adoption of town officers' bond for 2019
- Authorization for payments in advance of audits of claims for postage and public utility services.
- Authorize supervisor to extend unexpended balances in their respective accounts for encumbering monies.
- Authorize town officers to purchase necessary supplies to carry on official duties in amounts not to exceed the budget.
- Authorize the Town Clerk to publish, in two issues, a summary of 2018 annual report of Supervisor.
- Authorize Standard Work day and Reporting for 2019
- Authorize use of Supervisor's Annual Report in lieu of Accounting to the State Comptroller.
- Authorize Supervisor to direct legal work on behalf of the town. To be reviewed and re-authorized annually.
- Authorize Supervisor to place town monies in interest-bearing accounts when this can be done without interfering with operation of Town Government.
- Authorize the Supervisor to enter into the following contracts and or payments for 2019:
 - Dues, Adirondack Association of Towns and Villages - \$550
 - Dues, New York Association of Towns - \$1100
 - Dues, NYS Assoc. of Town Superintendents of Highways - \$200
 - Business Automation Services
 - \$2300.00 for Town Clerk software support/ maintenance
 - \$970.00 for Zoning Enforcement Officer software support/ maintenance.
 - Dues, New York State Assessor's Association 2019 membership - \$100
 - Dues, Warren County Assessor's Association 2019 -\$25.00
 - \$50,036.20 New York Municipal Insurance Reciprocal (NYMIR) for 2019 property and liability policy

- Dues APHNYS for Town Historian - \$30.00

RESOLUTION # 5-19

Councilman Stevens presented the following resolution and moved its passage with a second from Councilwoman Arnheiter to accept the preceding bonding and authorizations without change:

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

Highway 284 Agreements for 2019:

The following projects for 2019 were submitted by Highway Superintendent Hitchcock for agreement of the board: (commonly labeled 284 Agreements)

- Cemetery Rd., Edwards Hill Rd., Fairview Ave., Osborn St., Pine St. and Ridge St.
- Culvert replacement, unspecified.

Councilman Arsenault questioned the source of funding for these projects. Supervisor Hogan stated the funding is budgeted through CHIPS reimbursement, which she believed to be around \$280,000 and a \$100,000 appropriation in the highway budget.

RESOLUTION # 6-19

Councilman Olesheski presented the following resolution and moved its passage with a second from Ms. Arnheiter to approve and accept Highway Superintendents 284 Agreement (Projects for 2019).

- Cemetery Rd., Edwards Hill Rd., Fairview Ave., Osborn St., Pine St. and Ridge St.
- Culvert replacement, unspecified.

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

Motion to adjourn the organizational meeting:

Councilwoman Arnheiter moved to adjourn the organizational meeting with a second from Mr. Arsenault to adjourn the 2019 organizational meeting.

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

The Organizational Meeting was adjourned at 7:17 p.m.

Minutes of the Town of Johnsburg
Regular Meeting
January 3, 2019
Wevertown Community Center
2370 State Route 28, Wevertown, NY

The meeting was called to order at 7:18 pm

Approval of minutes for regular meeting December 18, 2018:***RESOLUTION # 7-19***

Mr. Arsenault presented the following resolution and moved its passage with a second from Mr. Arnheiter to accept the minutes of the December 18, 2018 Regular Town Board Meeting.

With 5 members voting, the resolution is declared carried. Ayes- 4 (Arsenault, Stevens, Hogan, Olesheski, Arnheiter) Abstain – Olesheski, Nays- 0.

New Business:

Approval of contract with Warren County for waste and recyclable processing:

Supervisor Hogan stated that the annual bids for waste removal and recycling were accepted by the county and a contract would be presented to the town in the near future. These contracts are effective January 1 – December 31, 2019. The details of the contracts were in the board packets. She requested authorization to sign the contract when it is presented by the county attorney.

RESOLUTION # 8-19

Mr. Arsenault presented the following resolution and moved its passage with a second from Mr. Stevens to authorize the Supervisor to sign intermunicipal agreement with Warren County for Solid Waste and Recyclable Processing.

With 5 members voting in favor, the resolution is declared carried. Ayes- 3 (Arsenault, Stevens, Hogan, Olesheski, Arnheiter) Nays- 0

Approval of contract with Cohen recycling for metal can processing:

Supervisor Hogan reviewed with the board a contract for metal can recycling that allows for a rebate from the processor, with no cost to the town. She stated this was being done by towns throughout the county.

Ms. Arnheiter questioned the town's ability to control the materials in the bin. Supervisor Hogan stated that some conversation had transpired with the transfer station attendant and more will follow to find ways to make sure that the metals are only metals.

RESOLUTION # 9-19

Mr. Stevens presented the following resolution and moved its passage with a second from Ms. Arnheiter to authorize the Supervisor to sign agreement with Cohen Recycling for Metal can Recycling.

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

Approval of contract with Warren/Hamilton Community Action for Senior Transportation:

Supervisor Hogan stated that when the agenda was written, the contract for Senior Transportation was thought to be expired on December 31. She had only found out after that that contract was, in fact, April – March. She asked the board if they wanted to approve now or wait.

RESOLUTION # 10-19

Mr. Stevens presented the following resolution and moved its passage with a second from Mr. Olesheski to authorize the Supervisor to sign contract with Warren Hamilton Community Action when presented by the county.

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

Committee Reports:

- **Occupancy Tax Committee:**

Occupancy Tax Committee Recommendations:

Councilman Olesheski stated that the Occupancy Tax committee had met on January 3 and put forward the following recommended awards. The amount to be awarded is 2/3 of the available funds forwarded from the county. There were a total of 17 applications with requests for \$62,765.00. The available funds were about \$30,666.00. Most applications were organizations and projects the committee was familiar with and because of time constraints, the committee chose not to hold a presentation session for the applicants. They did contact anyone they had questions about directly. He summarized the rationale for the applicants who did not receive any funding in this round.

Mr. Olesheski stated that his committee questioned the status of matching funds from the county that were never received. Ms. Hogan reminded the board that they had approved application to the county for re-allocation of funds that had originally been allocated to the step on guide for the passenger train. We are still waiting to hear on the status of this request.

There was discussion about the guidelines for Occ tax applications as they relate to who benefits. A need for examination of the intent of the awards is needed and Mr. Olesheski will do some research.

Ms. Hogan acknowledged the committee's concerns that dates in the contracts have been incorrect in the past and will make an effort to ensure correct contracts

in the future. The Occ tax committee will be improving the online application and will be increasing oversight following the awards.

Supervisor Hogan commented that she felt the local process to be more fair and transparent than the Occupancy tax distribution process of the county.

Joel Beaudin questioned whether those turned down for funding should re-apply in the spring. Mr. Olesheski encouraged those who were not funded, or even under-funded, to re-apply in the spring cycle.

Mr. Stevens expressed the board's appreciation for the work that the committee does each year.

RESOLUTION # 11-19

Mr. Stevens presented the resolution and moved its passage with a second from Mr. Arsenault to accept the Occupancy Tax awards for Fall 2018 as presented by the committee.

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

- Solid Waste – no report
- Highway –

Truck box -

Ms. Hogan outlined that the Highway Superintendent notified the board in November that he had a plow truck box fail. The Highway committee met with the Superintendent on December 11, at which time the highway superintendent stated that the truck box had rusted out, it would not pass inspection and also noted that the truck would not outlive the life of another box. A series of correspondence that followed culminated in a January 3 email from the Highway Superintendent (attached as correspondence) wherein Ms. Hogan believes it is meant to be interpreted that Mr. Hitchcock is requesting that the board declare the truck box failure to be an emergency so that town purchasing policy can be circumvented and a new box can be purchased more quickly.

Mr. Arsenault asked for clarification that the request is to purchase the new box. Mrs. Hitchcock, who was in the audience, stated that was, in fact, the request that was being made.

Supervisor Hogan explained that because of the proposed cost of the box (\$46,100) the town would normally put out a bid.

Mrs. Hitchcock noted the difficulties that the highway department has been having in the absence of this truck. She explained that the box that is proposed to be purchased is the only one that can be found right now.

The board debated whether this situation meets the requirements for an emergency purchase. Supervisor Hogan questioned whether all other options had been exhausted, pointing out that there could be potential to piggyback off other town or county contracts.

Ms. Arnheiter highlighted the tremendous amount of research that the Highway Superintendent has done prior to making this request. She pointed out the difficulty Mr. Hitchcock had in finding this particular part and the scarcity, in general, of parts made from steel.

Mr. Olesheski stated that he believes that because the board created the policy, the board can change it. He said that he felt this is a circumstance where the board should circumvent the purchasing policy for the greater good and go with Mr. Hitchcock's guidance.

RESOLUTION # 12-19

Mr. Stevens presented the motion to declare the loss of usage of the plow truck an emergency that presents a hazard to the well-being and protection of citizens of our town. Mr. Olesheski seconded the motion and with 4 members voting in favor, the resolution is declared carried. Ayes- 4 (Arsenault, Stevens, Olesheski, Arnheiter) Nays- 1 (Hogan)-not audible but noted during the meeting.

Mr. Olesheski questioned whether the authorization to purchase the truck part should be made contingent on the Highway Superintendent presenting the board with proof of exploration of the possibility of piggybacking off another contract. Mr. Arsenault expressed concern at the delay.

RESOLUTION # 13-19

Mr. Stevens motioned to authorize the Highway Superintendent to purchase the truck box from T&T Body King, Inc. in Latham in the amount of \$46,100.00. The motion was seconded by Mr. Arsenault.

The resolution is declared carried with 4 members voting in favor. Ayes-4 (Arsenault, Stevens, Olesheski, Arnheiter) Nays-1 (Hogan) -not audible but noted during the meeting.

Backhoe purchase-

Mr. Olesheski stated that after reviewing email, he believed the town should trade the old backhoe in and purchase a new one. Mr. Arsenault related information from the Dec. 11 Highway committee meeting with Mr. Hitchcock in which he told the committee that steel tariffs are handicapping the department in locating equipment. Ms. Hogan reviewed the information provided by Mr. Hitchcock that the new backhoe would cost around \$ 90,000.00, the trade in value is estimated to be \$40,000. Mr. Hitchcock believed the final cost to the town would be \$55,846.00.

RESOLUTION # 14-19

Mr. Stevens motioned to authorize the Highway Superintendent to put out a bid to purchase a new backhoe. The motion was seconded by Mr. Olesheski.

The resolution is declared carried with 5 members voting in favor Ayes-5 (Hogan, Arsenault, Stevens, Olesheski, Arnheiter) Nays-0.

- Marketing and Economic Development - no report
- Personnel - Mr. Stevens acknowledged an ongoing personnel issue, but nothing to report.
- Buildings, Parks and Rec – no report
- Planning and Zoning – no report
- Fire and EMS – no report

Animal Control and ZEO reports for December:

- There was no activity to report for Animal Control.
- ZEO Monthly report is in board packets. The ZEO also supplied the board with an annual summary of activity.

Registration and mileage for town Historian:

The Historian has requested funds to attend the Warren County Historical Society Annual meeting.

RESOLUTION # 15-19

Mr. Arsenault presented the following resolution and moved its passage with a second from Ms. Arnheiter to approve the following expenses: Society annual meeting - \$25.00 registration/ 70 miles at 0.58 = \$41.00 Total = \$66.00 from budget 2019- A75104.

With 5 members voting in favor, the resolution is declared carried. Ayes- 3 (Hogan, Arsenault, Stevens, Olesheski, Arnheiter) Nays- 0

Reimburse Gore Mountain Seniors for expenses for activities 2017/2018:

Supervisor Hogan explained that in past years the board had reimbursed a portion or all of expenses submitted by the Gore Mountain Seniors for activities. The funds to do this were not budgeted in 2018, this reimbursement would come from 2019 Fund Balance.

RESOLUTION # 16-19

Mr. Stevens enthusiastically presented the following resolution and moved its passage with a second from Mr. Arsenault to approve the reimbursement of \$2339.00 to the Gore Mountain Seniors to come from fund balance 2019.

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

Reimburse Johnsbury Central School for the use of the bus for the 2018 Youth Program:***RESOLUTION # 17-19***

Mr. Arsenault presented the following resolution and moved its passage with a second from Ms. Arnheiter to approve the reimbursement of \$2365.44 to the Johnsbury Central School to come from fund balance 2019.

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

Ratify the actions of the Supervisor in authorizing training through Enhanced Business Systems for the bookkeeper.

Supervisor Hogan explained that while the new bookkeeper did train with the outgoing bookkeeper for 3 days, it was felt that she required more support in the transition. The training is conducted online and over the telephone and the cost is \$75/ hour.

RESOLUTION # 18-19

Ms. Arnheiter presented the following resolution and moved its passage with a second from Mr. Olesheski to approve up to 5 hours of training for the bookkeeper at \$75/ hr.

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

Privilege of the Floor

Mr. Beaudin expressed concern over some gaps in information on the town's website. Supervisor Hogan promised to look into it. He also pointed out that the town spends a lot on street lighting and should review the street light inventory. Ms. Hogan reminded the board that the town agreed to pursue a NYSERDA program to decrease streetlighting expenses and stated she is working on it.

Mrs. Beaudin questioned the lack of lighting of signage along route 28 which identifies the entrance to the Ski Bowl. Mr. Olesheski stated he had concerns about the lighting throughout the entire park. Ms. Hogan relayed a conversation between herself and Ms. Stanton from Gore Mountain which happened at the Business Alliance in which each decided to look back at the town- ORDA agreement and have a future conversation about the particulars. The Building, Parks, Rec. committee agreed to follow up on this.

Mrs. Hitchcock asked what the town's plan is for re-locating the Highway garage. Discussion revolved around the purchase of property on Goodman Rd, the agreement with Front St. and what the town's desire might be. It was agreed to have further discussion of this.

Mrs. Hitchcock questioned the process for selecting the next Highway Superintendent. Supervisor Hogan assured her the position remains a publicly elected position.

Motion to Adjourn

Mr. Arsenault presented the following resolution and moved its passage with a second from Mr. Stevens to adjourn the meeting.

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

Next Meeting – January 15, 2019, 7:00 pm at the Tannery Pond Community Center

Prepared by:

Kathleen C. Lorah, Town Clerk