

**Minutes of the Town of Johnsbury Regular Board Meeting  
February 4, 2014  
Held at the Wevertown Community Center, Wevertown, New York**

Minutes of the regular meeting of the Town Board of the Town of Johnsbury held on Tuesday, February 4, 2014 at 7:00 p.m. at the Wevertown Community Center, Wevertown, NY.

Supervisor Vanselow called the meeting to order at 7:00 p.m. 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, Peter Olesheski, Jr, Arnold Stevens; Town Clerk Jo A Smith.

Absent Katharine Nightingale

Guests: On attached list

**BID OPENING:**

The Town Clerk notified the Board that no bids were received for the cemetery mowings.

The Town Clerk then read the Legal Notice for the Scrap Metal Bid as it appeared in the North Creek News-Enterprise edition of January 24, 2014. There were one bid received. The bid was opened and contained all the appropriate forms. Earth Waste & Metal bid \$180.80 per net ton to purchase and remove the scrap metal from the Town of Johnsbury Transfer Station.

**RESOLUTION #21-14A**

Mr. Stevens presented the following resolution and moved its passage with a second from Mr. Olesheski to award the Scrap Metal Bid to New England Quality Services Inc. d/b/a Earth Waste & Metal, 49 Wales street, Rutland, Vermont, 05701, in the amount of \$180.80 per net ton to purchase and remove the scrap metal from the Town of Johnsbury Transfer Station between January 1, 2014 and December 31, 2014.

With 4 members voting in favor, the resolution is declared carried. Ayes-4 (Arsenault, Olesheski, Stevens, Vanselow) Nays - 0

Mr. Robert Nettle asked about what we do at our landfill with Refrigerators and draining there system. Supervisor Vanselow said he wasn't sure but would check into it and the regulations regarding them.

**RESOLUTION #22-14**

Mr. Arsenault presented the following resolution and moved its passage with a second from Mr. , Olesheski to accept the minutes of the January 21, 2014 regular Town Board Meeting as written.

With 4 members voting in favor, the resolution is declared carried. Ayes-4 (Arsenault, Olesheski, Stevens, Vanselow) Nays - 0

**CORRESPONDENCE:**

1. Letter from Town Clerk / Collector Jo A Smith asking for \$50.00 petty cash fund for making change for trash stickers and tax bills.
2. A letter from Barton International regarding the Barton Mines road safety. They are seeking assistance in reducing the chance of future accidents on the road like the one that happened on Jan 20th with a tractor trailer driver mistakenly drove up the road and a resident was trying to redirect the truck, another resident driving down the road was not able to stop due to icy condition and hit the truck and severely damaged her car, no serious injuries. Barton's is looking for a sign on Barton Mines road that would redirect trucks past the road to the Barton's Hudson River Plant. They are also offering to finance the purchase and installation of the sign.

**NEW BUSINESS:**

Supervisor Vanselow explained that the Supervisor's Monthly Report, was not available yet. The Animal Control Officers Monthly Report and the ZEO Monthly Report was in the Boards Packet.

Supervisor Vanselow stated that he had spoken with Mr. Phil Goodman and Mr. Vince Schiavone regarding Mr. Goodman's appointment to the County Youth Committee. Mr. Schiavone and Mr. Goodman are both in agreement about this appointment.

**RESOLUTION #23-14**

Mr. Arsenault presented the following resolution and moved its passage with a second from Mr. Stevens that they appoint Mr. Phil Goodman as the County Youth Committee Representative.

With 4 members voting in favor, the resolution is declared carried. Ayes-4 (Arsenault, Olesheski, Stevens, Vanselow) Nays - 0

**RESOLUTION #24-14**

Mr. Olesheski presented the following resolution and moved its passage with a second from Mr. Arsenault that they re-appoint Mr. Lloyd Burch for the Board of Assessment Review.

With 4 members voting in favor, the resolution is declared carried. Ayes-4 (Arsenault, Olesheski, Stevens, Vanselow) Nays - 0

Supervisor Vanselow explained that the Town Clerk is requesting a Petty cash fund in the amount of \$50.00 to be able to make change. Mr. Olesheski asked if \$50.00 would be enough. Ms. Smith replied yes. Mr. Olesheski stated that if more is need they could up that amount.

**RESOLUTION #25-14**

Mr. Stevens presented the following resolution and moved its passage with a second from Mr. Olesheski authorizing a \$50.00 petty cash fund for making change for the Town Clerk.

With 4 members voting in favor, the resolution is declared carried. Ayes-4 (Arsenault, Olesheski, Stevens, Vanselow) Nays - 0

Mr. Olesheski asked if the library has a petty cash fund, being they sell trash stickers? Supervisor Vanselow responded that we wasn't sure, but that they normally had cash on hand from overdue books so they could make change from that for trash stickers.

Supervisor Vanselow explained that Sherry Williams the bookkeeper is requesting to have establish a noon Friday before the Town Board meeting for submission of vouchers to have adequate time for processing.

**RESOLUTION #26-14**

Mr. Arsenault presented the following resolution and moved its passage with a second from Mr. Stevens for a deadline for voucher acceptance Friday noon before a Town Board Meeting for vouchers payable at that Town Board Meeting.

With 4 members voting in favor, the resolution is declared carried. Ayes-4 (Arsenault, Olesheski, Stevens, Vanselow) Nays - 0

Supervisor Vanselow regarding the Barton Mines restrictions. People who live there and from Mr. Dan Hitchcock Highway Supervisor said that at least one tractor trailer a week will go up Barton Mines Road thinking that is the way to the Barton Mines Hudson River Plant. Being there is no good place for them to turn around Mr. Hitchcock and Mr. Chuck Barton would like to see a restriction on the road for tractor trailers of course with exceptions. This would require posting of signs and the county won't give Mr. Hitchcock signs without a resolution from the Board. The sign would be a tractor trailer with a slash. Mr. Hitchcock has also approached the state out putting a sign on Route 28. Something like Barton Mines Hudson River Plant 3/4 of a miles down the road. The state told Mr. Hitchcock that they didn't want any advertising on Route 28, Mr. Hitchcock explained to them this was a safety issue not advertising. They are going to be talking with them in Albany to see if they can get and put up a clear direction sign. Mr. Jones stated that he is not in favor of restricting roads because it usually ends up being all truck traffic and trucks do need to get up in there for various reasons. He suggested putting a sign up at the railroad tracks stating not Barton Mines, so they could rectify the problem then. Supervisor Vanselow stated he would leave that up to Mr. Hitchcock for the signage and that they still do need to let trucks up there they have to plow, school busses need to go up there and there are other business up there, they are just trying to stop the tractor trailers that are looking for the Hudson River plant. Mr. Olesheski asked if they restrict the road if truck drivers would have to get a permit from Mr. Hitchcock like when the road are posted. Supervisor Vanselow responded he did not know. Mr. Nettle suggested changing the name of the road. Supervisor Vanselow stated it just wasn't that easy.

**RESOLUTION #27-14**

Mr. Arsenault presented the following resolution and moved its passage with a second from Mr. Olesheski to restrict Tractor Trailers from Barton Mines Road.

With 4 members voting in favor, the resolution is declared carried. Ayes-4 (Arsenault, Olesheski, Stevens, Vanselow) Nays - 0

Supervisor Vanselow stated that in the Board Package should be a letter from the Water Superintendent Mr. James Lomax suggesting 4 rate changes, mainly for building that have gone from residential to business or the reverse. The first is a house that know is a Hostel, the second is now a chocolate factory, the third was a restaurant that has been closed and the fourth is a restaurant that has closed. The first two they will contact and explain what is going to happen with the water rate and when. Mr. Olesheski stated he thinks #3 and #4 they should take care of now that they have been paying too much for a while know in water rent.

Mr. Cork Nestor stated that if one of those properties was Smith's Restaurant be doesn't believe it should be lowered because it is being marketed as a Restaurant and when and if sold they would have to change it back. Mr. Cork Nestor feels strongly that it should not change. Mr. Christian Holt, Town Assessor also agrees with Mr. Nestor that it should not be changed being that it is a commercial / restaurant class property. Mr. Olesheski stated that it is a water rent and if they are not using our water we shouldn't be charging them for it.

**RESOLUTION #28-14**

Mr. Olesheski presented the following resolution, and moved its passage with a second from Mr. Arsenault, to Contact #1 and #2 regarding their water rent increase and to lower #3 and #4.

With 3 members voting in favor, the resolution is declared carried. Ayes-3 (Arsenault, Olesheski, Vanselow) Opposed - 1 (Stevens)

Supervisor Vanselow explained there are two Budget Amendments the first is a transfer of unused funds from the refuse budget line to buildings and Parks to cover additional costs, the second is a correction to a prior budget amendment which was done in reverse. Supervisor Vanselow asked that the Town Board accept the budget amendments.

**RESOLUTION #29-14**

Mr. Arsenault presented the following resolution, and moved its passage with a second from Mr. Olesheski, to accept and approve the following amendments to the 2013 Town Budget:

Budget Amendments for December 2013

1	Buildings CE	A16204	3,100.00	
	Parks CE	A71104	121.00	
	Refuse/Garbage CE	A81604		3,221.00

Transfer unused funds in Refuse Budget Line to Bldgs and Parks to cover addl costs

	Correction to Prior Budget Amendment done in reverse			
2	Insurance Recoveries/Transfer Sta	H2680.15	21,500.00	
	Land Acquisition/Sand Property	H19044.16.28		11,500.00
	Property ReVal	H13554.13		10,000.00

Allocate Excess Capital Projects Revenues to other Capital Projects

With 4 members voting in favor, the resolution is declared carried. Ayes-4 (Arsenault, Olesheski, Stevens, Vanselow) Nays - 0

Supervisor Vanselow explained that Family Dollar is interested in purchasing the Monter Lot at the Corner of Main Street and Ski Bowl Road. They called and ask Supervisor Vanselow if the town would be interested in a gift from Family Dollar. Family Dollar would purchase the 5.5 acre lot subdivide it and retain 2.5 acres for their building and gift the remaining 3 acres to the town. If the Board so chooses Supervisor Vanselow would like to see a resolution that states we would agree to accept the land provided there are no restrictions on it imposed by Family Dollar and that the town would have frontage on Main Street.

Mr. Arsenault asked if we knew what the configuration was. Supervisor Vanselow explained that we don't have a map yet with all of the details. Mr. Jim Jones stated he didn't think that property went all the way to Route 28 and Ski Bowl Road and that there is a pie shade piece in there that the town owns already. Mr. Robert Nettle asked what the Planning Board thought of this proposal. Mr. Cork Nestor Planning Board Chairperson commented that they had not contacted the Planning Board yet. Supervisor Vanselow stated that the Developer had just contacted Ms. Danae Tucker today regarding what permits etc that are needed. Mr. Robert Nettle stated that he didn't want to see it subdivided like that because there isn't enough commercial property on Main street as it is. Supervisor Vanselow stated that is why he would like it with no restrictions that way the town could sell it and it still would be commercial property. There is a lot of potential there we need Municipal parking it could be used for that. Mr. Jim Jones stated he believes the zoning changes in the middle of that lot. The front of the lot is in the Business district and the back is in a different zone. Mr. Arsenault asked if there was a reason why we are being asked when nothing is in motion yet. Mr. Arsenault would rather wait and have the developer go to the Planning Board first before the town accepts there offer.

**RESOLUTION #30-14**

Mr. Stevens presented the following resolution and moved its passage with a second from Mr. Olesheski, to accept the gift of a 3 acre lot from Family Dollar provided there are no restrictions on it imposed by Family Dollar and that the town would have frontage on Main Street.

Mr. Stevens motion stands. Mr. Olesheski, withdraws his second after discussion.

Supervisor Vanselow will contact the Developer and let him know the Board thinks it's premature to accept at this time.

**RESOLUTION #31-14**

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

**General Fund** - (Total \$ 111,000.90) Claims #13-1143, 14-57 & 14-58, 14-61 to 14-79, 14-86 & 14-87, 14-89 to 14-92, 14-95 to 14-97 (Claim #13-1143 National Grid for \$33.55 Paid)

**Highway Fund** - (Total \$ 25,502.22) Claims #14-58 & 14-80 to 14-82, 14-86, 14-87, 14-92 to 14-94

**North Creek Water Dist.**- (Total \$ 2,132.75) Claims #14-83 to 14-85 & 14-87

**Library Fund** - (Total \$760.63) Claim #14-86

**Trust & Agency** - (Total \$118,311.00) Claims #14-59 & 14-60, 14-86 to 14-88 & 14-98

**Total all warrants \$121,713.51.**

With 4 members voting in favor, the resolution is declared carried. Ayes-4 (Arsenault, Olesheski, Stevens, Vanselow) Nays - 0

**PRIVILEGE OF THE FLOOR**

Mr. Cork Nester asked about parking on Main Street. Supervisor Vanselow stated that in 1999 when they passed the law, they had signs up, but for whatever reason they took them down. He was waiting to see what the final design for Street Scape looked like to see if the signs were appropriate and where to place them. Mr. Nester stated that the street and sidewalks are not cleaned up. Supervisor Vanselow said that something does need to be done and he will be looking at the law. Mr. Nester stated that the county should be able to clean the streets up in a 4 hour window. Mr. Cork Nester went on to ask about the Parking at the Ski Bowl. Supervisor Vanselow explained that the town is responsible per the signed contract, that the town has with them. Mr. Nester asked even though it has expanded so much? Supervisor Vanselow stated that it was an ongoing discussion and they are working on a solution. Mr. Nester asked the length of the contract with ORDA. Supervisor Vanselow said that it goes to 2026, if we back out of the contract then the town has to pay for the ski lift and any other improvements. Mr. Olesheski stated that when the contract is up the Town has the option of purchasing the lifts.

A motion to adjourn the meeting was presented by Mr. Olesheski, with a second from Mr. Arsenault at 8:13 p.m.

With 4 members voting in favor, the resolution is declared carried. Ayes-4 (Arsenault, Olesheski, Stevens, Vanselow) Nays - 0

The Town Board regular meeting will be held at 7:00 p.m. on February 18, 2014, at the Tannery Pond, North Creek, New York.

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Prepared by Jo A Smith, Town Clerk