

**Minutes of the Town of Johnsburg  
Regular Meeting  
May 16, 2017  
Tannery Pond Community Center  
228 Main Street, North Creek, NY**

Minutes of the Regular Meeting of the Town Board of the Town of Johnsburg held on Tuesday May 16, 2017 at 7:00 PM at the Tannery Pond Community Center, 228 Main Street, North Creek, NY.

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  
Peter Olesheski, Jr -- Councilman  
Katharine Nightingale -- Councilwoman  
Joann M. Morehouse -- Deputy Town Clerk

Absent: Supervisor - Ronald Vanselow

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

***RESOLUTION #65-17***

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

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

**CORRESPONDENCE:**

David Sibinski – Would like to become a member of the Zoning Board of Appeals

Borgos & Delsignore, Attorneys at Law – waiver from the 30-day filing requirement associated with an On-Premise Liquor License application for Lotus North, Inc. d/b/a Basil & Wicks

Waynestock #10 – Fireworks and overnight camping.

**Zoning Board of Appeals**

***RESOLUTION #66-17***

Ms. Nightingale presented the following resolution and moved its passage with a second from Mr. Stevens to appoint Mr. Skibinski to the Zoning Board of Appeals for the open term that expires on December 31, 2019.

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

**Waiver On-Premise Liquor License Basil & Wicks**

***RESOLUTION #67-17***

Ms. Nightingale presented the following resolution and moved its passage with a second from Mr. Olesheski to waiver the 30-day filing requirement associated with an On-Premise Liquor License application for Lotus North, Inc. d/b/a Basil & Wicks.

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

**Waynestock 10<sup>th</sup> Anniversary**

Mr. Nettle asked who was going to control the camping and be responsible for the camp fires etc. and who is going to pay for them to do so. Mr. Arsenault told him that was a question he hadn't asked but he was sure that the North Country Hardship Fund would be, but he said he would definitely speak with them and make sure that it was taken care of.

***RESOLUTION #68-17***

Mr. Stevens presented the following resolution and moved its passage with a second from Ms. Nightingale to allow camping and a firework display at this year's Waynestock 10<sup>th</sup> anniversary fundraiser, which is scheduled for August 4<sup>th</sup> and August 5<sup>th</sup>.

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

## **COMMITTEE REPORTS:**

### **Sewer Committee – No Report**

### **Dunkley Falls / Black Hole**

FROM: Mill Creek Citizens Committee - Facilitator: Deana Wood - Board Member: Arnold Stevens - Members: Mike and Linda Quintavalle, Sandra and Phil Sangster, Andrea Hogan, Carl and Dianne (Harrington) Szlachtowski, David Skibinski, Judy Brown, Mike Sharp, Christian Holt, Art Perryman, Jr.

TO: Town Board of Johnsbury - Town of Johnsbury Supervisor, Ron Vanselow; Acting Town Supervisor, Gene Arsenault; Board Members: Arnold Stevens, Peter Olesheski, Kate Nightingale

DATE: 05-16-2017

**REPORT TO THE BOARD: The OSI properties/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***

We have met several times and have discussed both the possible acquisition of the OSI properties and the condition of Harrington Road. We have also been communicating by email.

We invited Bob Nessie to a meeting for him to give us the background of the area and the team that worked on it many years ago. He was very knowledgeable and helpful.

On Thursday, May 11<sup>th</sup> we met with Highway Superintendent, Dan Hitchcock, about possible solutions for improving the road conditions. He has been very willing to meet and communicate with us. We are submitting a request for road improvements, plus NO PARKING sign and speed limit requests.

A meeting was held on Friday, May 12th with Wayne LaMothe about a possible grant. The members of the committee who met with Wayne were: Phil and Sandra Sangster, Linda Quintavalle, Deana Wood and Town Board member and acting Supervisor, Gene Arsenault. We would like to continue to meet and develop a reasonable, viable plan for this property and have more time to research possibilities and costs. We would like to present our requests at this time.

**PARKING RESTRICTIONS FOR THE BLACK HOLE ON HARRINGTON ROAD**

As we continue to review the possible acquisition of the Mill Creek Area currently owned by OSI, we realize the need to address the parking situation on Harrington Road and its impact on erosion on the Black Hole side, and traffic flow.

Ever increasing popularity of this space creates a hazardous driving condition for both visitors and residents. Visitors frequently park on both sides of the road at this spot making it almost impossible for thru traffic to negotiate the narrow space. This creates a dangerous situation because of the number of children and adults who gather and use this area.

The road and area surrounding the Black Hole are sensitive to environmental damage as evidenced by the erosion along the top edge on the Black Hole side. Thus, it is imperative that parking be restricted on the Black Hole side.

Therefore, we strongly recommend that signs indicating NO PARKING be placed along the Black Hole side.

**Synopsis:** We respectfully request the strategic placement of NO PARKING signs along Harrington Road at the bank above the Black Hole.

#### SPEED LIMIT REQUEST FOR HARRINGTON ROAD

As we began to review the possible acquisition of the Mill Creek Area currently owned by OSI, we realized the need to address the Harrington Road conditions, including the speed limit. The road currently has a large volume of traffic with vehicles that travel at excessive speed, particularly in the summer due to the popularity of the Black Hole and the Dunkley Falls area as tourist attractions. Thus, this road has become a thoroughfare. This condition creates a significant hazard for both residents and travelers.

With this in mind, we respectfully request that the Town of Johnsburg submit to the DOT a proposal to impose a speed limit of 35 miles per hour on Harrington Road from State Route 28 to the Mill Creek Bridge / Riverside Station Road.

In addition, the committee feels strongly that from Riverside Station Road out to State Route 8 the speed limit be set at 25 miles per hour due to the condition of the dirt road and the extremely close proximity of residences.

**Synopsis:** Please request a speed limit on Harrington Road to facilitate traffic and safe guard residents and property: 35 miles per hour on Harrington Road from State Route 28 to Mill Creek Bridge/Riverside Station Road; 25 miles per hour from the Mill Creek Bridge on Harrington Road to State Route 8

#### RECLAMATION OF PAVEMENT ON HARRINGTON ROAD

The committee's review of the Mill Creek Area currently owned by OSI, revealed the need for improvement of Harrington Road.

The current condition of Harrington Road is poor at best; The uneven pavement and numerous pot holes lead to erratic driving and damage to vehicles; The tailings from the Garnet Mines used to remedy the situation have created a dust bowl each time a car passes. This is a quality of life issue as well as a health hazard for human and pets to breathe. These tailings are also migrating into private property, culverts and adjacent streams; The loose sand on top of the pavement creates a slippery driving conditions; The ever-increasing number of vehicles continues to make the situation worse with train maintenance vehicles, buses and other recreational traffic moving down this road exacerbating an already deteriorating road surface.

After meeting with the Highway Superintendent, Dan Hitchcock, we came to a consensus that 1.3 miles of pavement on Harrington Road starting at Route 28 should be reclaimed by grinding and rolling the existing pavement, or by grinding and repaving. We recommend that the road be reclaimed regardless of whether or not the town acquires the OSI property.

**Synopsis:** We respectfully request that the Johnsburg Town Board authorize the Highway Department to undertake the improvements needed.

#### GRANT APPLICATION FOR OSI PROPERTIES

After meeting and consulting with Wayne LaMothe of Warren County Planning, the attending members felt that it may be prudent to pursue grant funds for minimal development of the OSI properties/Mill Creek Area which includes five parcels identified as follows: *Deed recorded at Warren County Clerk's Office, Uber #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*

As the deadline for application is rapidly approaching the members feel that we should begin the process and design a minimal development plan.

The committee recommends that the plan should be for passive use with biking and hiking trails with limited off road parking.

The scope of the plan should keep in mind pragmatism, fiscal restraint, manageability and most important, responsible stewardship.

Our understanding is that the grant is a New York Department of State Local Waterfront Revitalization Program Grant and that it is a matching grant with the Town's ability to use the value of the property, currently \$177,000.00, as the match. Therefore, no additional funds should be needed. It is also our understanding that the funding is provided through a reimbursement grant and payments will be made to grant recipients based on actual expenditures. Further, we understand that the decision about the acceptance or not of the grant will be given by November 2017.

**Synopsis:** We respectfully request that the Johnsburg Town Board pursue filing for the grant.

## GRANT APPLICATION CONCERNS AND CAUTIONS FOR OSI PROPERTIES

The members feel that while it may be prudent to pursue grant funds for *minimal development*, we do have many concerns on its impact on the community. The OSI properties/Mill Creek Area include five parcels identified as follows: Deed recorded at Warren County Clerk's Office, Uber #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 group envisions the properties as two separate pieces with different developmental goals for conservative management: No promotion of the Black Hole and the Dunkley Falls as tourist attractions due to the environmental sensitivity of the space and the safety issues present at these locations; Reroute trail to Black Hole via the beginning of the Dunkley Falls trail in order to reduce the erosion along Harrington Road above the Black Hole; Consideration of hiking and biking trails with no motorized vehicles along the Riverside Station Road area with small access parking lots being permitted along this road; No structures on either site other than kiosks for trail registration; No cutting of trees or vegetation except those needed to be prudently cleared for trail system; Day use only, no camping, no fires yet preserving the rights of local hunters and fisherman; Removal of existing hibachis and fire pits to protect the environment and surrounding homes; Allocation of existing town personnel to maintain and clean up properties

The committee feels strongly that we should have input as to the language and design of the development plan specified in the grant. The acceptance and management of the property should benefit the local residents, control abuse and have minimal financial impact. Descriptions in previous plans called for construction of pavilions and train landings, the group feels that this is not a practical or appropriate use of this land.

**Synopsis:** We respectfully request that the Johnsburg Town Board and the Mill Creek Committee have active input and review of the grant application prior to final submission.

### ***RESOLUTION #69-17***

Mr. Stevens presented the following resolution and moved its passage with a second from Ms. Nightingale to write a letter to DOT to reduce the speed on Harrington Rd., ordering No Parking signs, and authorize the Hwy Committee to speak with Superintendent Hitchcock pertaining to Harrington Rd reclamation.

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

### ***RESOLUTION #70-17***

Mr. Olesheski presented the following resolution and moved its passage with a second from Ms. Nightingale to allow the Mill Creek Committee to apply for a grant through New York Department of State Local Waterfront Revitalization Program.

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

### **Tannery Pond Update**

Mr. Olesheski stated the carpets have been scheduled to be cleaned at Tannery Pond.

### **Tannery Pond Window washing**

Mr. Olesheski said that he had gotten 2 verbal quotes on washing the windows and pressure washing the siding & stonework. The first quote is from Advanced for \$2,400.00 for windows inside and out and pressure washing. The second was from Ultra Clean \$650.00 for the windows inside and out, \$1,200.00 for the pressure washing total would be \$1,850.00.

### ***RESOLUTION # 71-17***

Mr. Stevens presented the following resolution and moved its passage with a second from Mr. Olesheski to approve and accept for Tannery Pond Community Center the washing of windows inside and out, and pressure washing the outside of the entire building in the amount of \$1,850.00 by Ultra Clean.

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

### **Town Hall Phone System**

FYI for the Board Mr. Olesheski said that when Frontier comes to install the new phone system they will also be replacing Tannery Pond and the Chamber's phones and they will be on the same phone system as the Town Hall.

**Internet Upgrade**

Mr. Olesheski reported to the Board that the Town Hall internet has been upgraded he had spoken to Frontier and he would also like to upgrade Tannery Pond to 15/1 for \$59.99 and have the town take over the bill.

***RESOLUTION # 72-17***

Mr. Olesheski presented the following resolution and moved its passage with a second from Mr. Stevens to approve and accept Tannery Ponds internet upgrade and the Town taking over responsibility for payment of the monthly bill.

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

Mr. Olesheski informed the board that the bookkeepers internet was also in need of being upgraded to at least 15/1.

***RESOLUTION # 73-17***

Mr. Olesheski presented the following resolution and moved its passage with a second from Ms. Nightingale to approve internet upgrade for the Bookkeepers office to the 15/1 for \$29.99 a month.

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

**Town Hall Security Cameras**

Mr. Olesheski stated that the security cameras have been installed in the Town Hall and the Library by Mike Colvin. Mr. Colvin will be returning in about a week to install a monitor in the secretary's office, it is going to cost about \$270.00. He was asked if cameras were going to be installed at some of the other buildings. Mr. Olesheski said yes over time they would likely be installed in some of the other buildings.

**Ski Bowl Fencing**

Mr. Olesheski told the Board that the Ski Bowl fence was replaced, Sienna Fence



did a good job. He told them that they need to rescind resolution **#52-17** that was done last month and make another resolution to cover the purchase of the fencing for the ball field from backstop to backstop.

### ***RESOLUTION # 74-17***

Mr. Olesheski presented the following resolution and moved its passage with a second from Mr. Stevens to rescind resolution **#52-17** that was done last month for the fencing at the Ski Bowl Park.

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

### ***RESOLUTION #75-17***

Mr. Olesheski presented the following retroactively resolution and moved its passage with a second from Ms. Nightingale to hire Sienna Fencing to do the entire ball field at the Ski Bowl Park in the amount of \$10,070.

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

Mr. Arsenault said that ORDA still owes the Town \$2,500.00 for the fence replacement and he will speak to them to see when they are going to pay that.

## **WORKPLACE HARASSMENT PLAN ANDPROGRAM**

Mr. Olesheski presented the Board with an updated Workplace Harassment Plan and Program with has been viewed by Attorney Fuller.

## **WORKPLACE HARASSMENT PLAN ANDPROGRAM**

**Program Statement:** The Town of Johnsbury reaffirms its policy to provide equal opportunity in employment and a safe work environment through its commitment to ensure an environment for all employees which is fair, humane and respectful. In furtherance of this policy, The Town of Johnsbury hereby states that workplace harassment is unacceptable and adopts this Workplace Harassment Policy with which all Town officers, employees and volunteers must comply.

**Definitions:** "Workplace harassment" includes harassment, sexual harassment, discrimination,

intimidation and bullying, whether verbal or physical, occurring on Town property' or occurring during the performance of Town duties or operations.

"Harassment" is defined as including, but not limited to: Slurs, inappropriate jokes, derogatory remarks, or any physical aggression related to another person's race, age, disability, religion, national origin, gender, or sexual preferences; Threatening, intimidating, coercing, using abusive or vulgar language, or interfering with the performance of other employees; or Any other conduct which creates a hostile or offensive work environment.

"Discrimination" means any gesture, any written, verbal or physical act, or any electronic communication, whether it be a single incident or a series of incidents, that is reasonably perceived as being motivated either by any actual or perceived characteristic such as race, color, religion, ancestry, national origin, gender, sexual orientation, gender identify and expression, or a mental, physical or sensory disability, or by any other distinguishing characteristic.

"Intimidation or bullying" is repeated, health-harming mistreatment of one or more persons by one or more perpetrators that takes one or more of the following forms:

Exploitation of a known psychological or physical vulnerability.

Direct or indirect verbal comments, actions, behaviors or tactics such as verbal abuse or psychological manipulations that are used to harm an individual or to attempt to harm an individual including but not limited to, attempts to destroy or harm a person's self-esteem or confidence; constant and repeated negative remarks, criticism or sarcasm; isolating or systematically isolating the individual; spreading false information or rumors; tasks that are ambiguous, contradictory or that are deprived of purpose; false insinuations, attacks to the individual's dignity, integrity or self-image; attempts to humiliate or public humiliation.

"Sexual harassment" is specifically defined as unwelcome verbal or physical sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature in which (1) submission to such conduct is made either explicitly or implicitly a term or a condition of an individual's employment; (2) submission to or rejection of such conduct by and individual is used as the basis for employment or promotion; or (3) such conduct has the purpose or effect of substantially interfering with an individual's work or creating an intimidating, hostile or offensive working environment.

As an unsolicited, offensive behavior that inappropriately asserts sexuality over status as an employee, sexual harassment often engenders a feeling of powerlessness and can threaten a person's economic livelihood.

Examples of sexual harassment include: Verbal - Sexual innuendos and comments or remarks about clothing, body or sexual activities; Suggestive or insulting sounds; Sexual propositions, invitations, or other pressure for sex; Implied or overt threats

Physical - Unnecessary touching; Brushing the body; Coerced sexual relations; Assault

Non-Verbal - Leering/prolonged staring; Obscene gestures

**Workplace Harassment Prohibited:** Workplace Harassment as defined above and occurring on Town property, or occurring during the performance of Town duties or operations, that disrupt or interfere with the orderly operation of the Town or the rights of other employees, visitors, volunteers, clients, or community members, is prohibited. All department supervisors are expected to adhere to this policy and enforce any prohibitions against unlawful workplace harassment. Any department supervisor who becomes aware of a violation of this policy is required to report this violation immediately to the Town Supervisor and /or Personnel Committee.

All Town employees shall be provided with a copy of this policy. Employees are required to attend and participate in workplace harassment training when provided by the Town. Employees are responsible for reporting any violations of this policy to their immediate supervisor.

**Process for Reporting Harassment Complaints:** Employees that believe that they have been subjected to workplace harassment should report it to their immediate supervisor. If the employee 's immediate supervisor is the person who is the cause of the complaint, the employee should speak to the Town Supervisor or the Personnel Committee. Complaints may be made verbally; however, it is recommended that the employee submit a statement in writing.

**Investigation of Complaints:** Allegations of workplace harassment are treated seriously by the Town and will be promptly investigated. The investigation will be conducted in such a way as to maintain confidentiality to the extent practicable under the circumstances.

Where possible, investigations will be conducted by the Town Supervisor, however the Personnel Committee may also be involved in the investigation to provide assistance and support. Investigations will be initiated as soon as possible from receipt of the complaint, but not longer than 5 business days after receipt. Town employees and management are expected to cooperate fully with any ongoing investigation.

If the complaint is not resolved, or an employee wishes to appeal a decision made by the Town Supervisor, the complaint will be referred to the Personnel Committee and employees will be notified of their decision within seven (7) days. The Personnel Committee reserves the right to refer the complaint to the full Town Board at their next regularly scheduled meeting for discussion or resolution. In the event that a complaint is referred to the full Town Board, employees will be notified within seven (7) days of the final decision.

**Retaliation:** Retaliation against anyone acting in good faith who has made a complaint of workplace harassment, who has reported witnessing workplace harassment, or who has been involved in reporting, investigating, or responding to workplace harassment is a violation of

this policy. Those found responsible for retaliatory action will be subject to discipline up to and including termination

**Disciplinary Action:** Upon completion of a workplace harassment incident investigation, both the complainant and accused will receive a brief written summary for their records. If it is determined that unacceptable workplace conduct has been committed by an employee, the Town shall take such action as is appropriate for the degree of violation. Punishment for minor offenses may include, but are not limited to; counseling, mandated employee training and mandated unpaid leave, not to exceed one week. Punishment for more serious offenses or for employees who have repeatedly violated this policy may include, but is not limited to; counseling, mandated anger management or other employee training, mandated unpaid leave of up to two weeks and complete termination of employment.

Any Town employee, including supervisors or managers, having knowledge of a threat of violence or an actual act of violence that has occurred and takes no action, or who fails to report an incident of workplace violence shall also be subject to corrective action up to and including termination of employment.

THIS POLICY SHALL NOT BE CONSTRUED TO CREATE A DUTY OR OBLIGATION ON THE PART OF THE TOWN TO TAKE ANY ACTIONS BEYOND THOSE REQUIRED OF AN EMPLOYER BY EXISTING LAW.

### ***RESOLUTION # 76-17***

Mr. Stevens presented the following resolution and moved its passage with a second from Ms. Nightingale to accept the Workplace Harassment Policy that Mr. Olesheski presented.

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

### **Animal Policy**

Mr. Olesheski said that there is an animal policy in the works for Town properties.

### **Tannery Pond Community Center**

Mr. Olesheski had Donna Welch and Deb Zack present the new building use guide and charges.

**POLICY STATEMENT:** The Tannery Pond Center (TPC)\* encourages the general public use of the Tannery Pond Community Center (TPCC) in conformance with established

procedures and policies to ensure proper usage. Any use must be compatible with the established functions and purpose of the facility.

**Purpose:** To establish a procedure for the facility, use of the Tannery Pond Community Center.

**Background:** TPCC intends to accommodate a broad range of cultural, recreational, educational, and social activities in addition to meetings of all types and sizes. Use by commercial entities will be permitted on a limited basis. Interpretation of the TPCC Facility Use Reservation and Fee Policy shall be made by the TPC Director or designee. Policy modifications regarding specific room rental fees and group classifications may be made from time to time by TPC and the Town of Johnsburg.

**User Definitions:** **Resident-An** individual, making application for facility use who resides within the boundaries of the Town of Johnsburg.

**Commercial Group** - An individual making application for facility use who resides outside of the Town boundaries.

**Non-Profit, Town Government, or Volunteer Recreational, Educational, Service/Civic Group** - A community group, making application for facility use, whose primary purpose is service to the community as a whole, where fees are limited to essential expenses and where participation is open to the general public. A non-profit group must have a current approved non-profit status on file with the State of New York. Proof of status may be required. Any group without official nonprofit status with the State of New York will be categorized as a private group for purposes of facility use reservations.

**Non-profit or Volunteer, Non-Resident Recreational, Educational, Service/Civic Group**

- A group from outside the Town, making application for facility use, whose primary purpose is service to the community as a whole, where fees are limited to essential expenses and where participation is open to the general public. A non-profit group must have a current approved non-profit status on file with the State of New York. Proof of status may be required. Any group without official nonprofit status with the State of New York will be categorized as a private group for purposes of facility use reservations.

**Non-Profit Special Interest Group** - A group, making application for facility use, whose primary purpose is self-serving and where participation and membership is limited to serving special interests. A non-profit group must have a current approved non-profit status on file with the State of New York. Proof of non-profit status may be required. Any group without official non-profit status with the State of New York, except a special interest group for a public benefit, will be categorized as a private group for purposes of facility use reservations.

**Private/Special Interest Group** - Group making application for facility use which excludes participation by the general public. Any group without official non-profit status.

**Commercial Group** - Any commercial, business firm, organization, individual, making application for facility use, whose primary purpose is a for-profit venture. Includes any business residing within Town of Johnsburg limits and any business physically located outside of the Town of Johnsburg limits.

**METHOD: Facility User Classification**

TPCC was built to provide a high quality space for performances, meetings, workshops, programs, and gatherings, as well as an Art Gallery. Residents and community groups are encouraged to use TPCC, and each individual resident is allowed to have one free use of the building each year, for personal use, as scheduling allows.

In addition, TPCC will have designated rooms available for rental by the general public dependent upon space availability. Facility users shall be classified into groups for the purpose of assessing fees and determining scheduling priorities. The TPC Managing Director or designee will make the final decision about scheduling and is allowed to make adjustments.

**The facility user classifications are as follows: GROUP I      Priority User:**

Tannery Pond Center; Town of Johnsbury sponsored activities (meetings, workshops, programs, cultural, educational, and recreational programs, e.g., the Library Book sale, White Water Derby, and Johnsbury Youth Committee, ATLAS); Our Town Theater Group (OTTG).

**GROUP II      Resident Recreational, Public Educational and Service/Civic Non-Profit Community Groups, Special Interest Groups for public benefit and Public Agencies:** Civic groups, service organizations, public school districts, youth sports groups, senior citizen groups, foundations, etc., whose purpose and programs are beneficial to the general public; Chamber of Commerce.

**GROUP III      Private Party, Special Interest, Non-Resident, and Commercial Groups:**

Religious, political groups, private educational organizations, resident private parties, special interest clubs, home owners associations, business organizations, nonprofit organizations

**Facility User Fees:** All fees are charged on a per hour basis with a daily maximum. Groups or individuals will be assessed facility use fees in accordance with the established TPCC Fee Schedule as described in *Attachment A*.

**APPLICATION PROCEDURE: Application Process:** All potential users shall complete a Tannery Pond Center Community Center Facility Use Application and Agreement. Applications for use of the TPCC facilities may be submitted by mail, email ([tannerypondcenter.org](http://tannerypondcenter.org)) or in-person at TPCC located at 228 Main Street.

Applications will be accepted during regular business hours or as otherwise designated. **An application submittal does not constitute acceptance or approval of use.**

Applications will be accepted for specific dates and times. The time requested must include all set-up and clean-up time. Applications must be submitted at least one month in advance of the date requested to allow for Application review, processing, and final fee payment.

Advanced scheduling may be accepted up to one year prior to the event date for larger special events. **Advance use requests may be waived at the Managing Director's discretion.** Applications will be approved for specific rooms, depending on group size, type of activity, and availability. No activity shall be scheduled for more than the maximum occupancy room capacity. Applications will be reviewed and use will be prioritized. The applicant will be notified of an appointment scheduled with Center staff to review and confirm the information on the application. Once dates are approved and booked, the Managing Director will assess fees. A 50% deposit of the room rental fees will be required at the time of this appointment. The applicant must sign and date the Facility Use Application and Agreement. By signing the Facility Use Application and Agreement the Applicant agrees to indemnify and hold harmless the Tannery Pond Center and agrees that all balances due must be paid two weeks prior to use. Should payment not be received within this time frame the requested space may be released and applicant will be responsible for any cancellation fees.

**Refusal or Cancellation of Use by TPC:** TPC has the right to refuse or cancel any application/permit. The TPC Managing Director or designee will give written or verbal notices of refusal and cancellations with an appropriate explanation. Applications for use may be denied or permits cancelled for the following reasons, including but not limited to: Unsatisfactory prior use; Hazardous and/or unsafe conditions exist; Application submitted less than required advance timeline; Non-payment of fees/deposit before due date; Groups that do not give proper cancellation notice; Facility or staff not available; Insurance or Security requirement not met

If TPC, due to unforeseen circumstances, makes a cancellation because the facility is unusable or unsafe, a full refund shall be made.

**Cancellation of Use by Permittee and Refund Process:** A notice of cancellation and request for refund must be received in writing and submitted to the TPC Managing Director. A refund of remaining fees, if applicable based on procedures listed below, will be mailed to the applicant.

When written cancellation notice is received at least two weeks before the use date, a full refund of the room rental fees and additional fees will be processed minus a \$20 cancellation fee.

When written cancellation notice is received less than two weeks prior to the use date there will be no refund of room rental fees and equipment rental fees. A full refund will be given for any set-up fees, cleaning/damage deposit fees, and insurance fees charged by the Town.

**No refunds are given for:** no shows; changes in equipment orders made less than two weeks prior to use, or when TPC incurs charges even though the event was cancelled; use ends earlier than time defined in Use Agreement; less than required notice per Section III, Item D; cleaning/damage deposit if facility is not left clean or damage to property has occurred; unsatisfactory use of facility

**Confirmation:** A signed copy of a Facility Use Application and Agreement by all responsible parties is confirmation of the approved facility use for the requested date. Any final preparation for a program or event is solely the responsibility of the applicant and should not begin until an approved and signed Facility Use Application and Agreement is issued.

**Changes to Use Agreement:** Changes, deletions or additions to Use Agreement or room set-up requests require 5 days advanced notice prior to use date or such requests may not be able to be accommodated.

**GENERAL RULES AND CONDITIONS OF USE:** The TPC Managing director or designee has the authority, as delegated by the Town of Johnsburg, to implement rules and conditions of use that provide for consistent use of TPCC.

**Rental Hours/Hours of Operation:** Rental of the TPCC facilities will be during the following regular hours of operation: Monday through Saturday 8:00 a.m. to 11:00 p.m., depending on staff or volunteer availability.

The facility may be opened for approved special events and before and after normal operating hours, subject to TPC staff or volunteer availability and payment of all associated fees for use. A late fee may be applied to all events that exceed the approved group's ending time.

**Closure Dates:** Rental facilities are subject to closure by authorization of the Town Supervisor or TPC Managing Director.

**Cleaning/Damage Deposit Procedure:** A refundable deposit shall be required to reserve facilities for events, in order to ensure proper clean up, and to cover repair/replacement costs from breakage, loss, or damage. The deposit will be returned if proper general clean-up is completed and the facility is left in satisfactory condition. When not left in satisfactory condition, the applicant shall be liable for the full cost of materials, labor, replacement, repairs, or damages (over and above the deposited funds) regardless of the amount. Any deposit amount remaining after satisfactory cleaning and any damage repairs are complete shall be refunded within 30 days. Staff will determine the appropriate level of payment required based on the nature of the cleaning or damage. Staff will conduct a pre-event and post-event site inspection, and staff's decision will be final.

**All groups are responsible for their event clean-up including but not limited to:** Cleaning of all equipment used. Cleaning of any chairs, tables, and counter areas used. The kitchen and rooms must be left clean and in the same condition that they were in before the activity. All litter and trash must be placed in trash receptacles, and recycling bins when available. Removal of all personal property, displays and other similar items without damage to the facility. Return and relocation of all equipment used during an event to its original location. All balloons and decorations are to be removed and discarded. Floor must be vacuumed before leaving; equipment is available in TPCC.



**Open Flame:** The use of an open flame and how it will be used must be approved in advance by the TPC Managing Director. No Smoking is permitted inside the facility or anywhere on the TPCC premises.

**Animals:** Animals are not permitted in the Center unless they are service animals used in aiding an individual or when approved by the Managing Director or designee for a supervised event/presentation/demonstration

**Advertising of Event/Facility Use:** Event/meeting/program advertising materials used at the TPCC (flyers, posters, banners, etc.) shall be submitted to the TPC Managing Director for approval and posting and will be displayed when deemed appropriate by the Managing Director and as space permits.

**General Solicitation, Selling, Advertising at Center:** No individual or group shall set up or maintain any exhibit, show, pantomime, act, concert, lecture, oration or similar activity on TPCC property without approval of the TPC Managing Director or designee.

No individual or group shall solicit donations or vend, offer for sale or dispose of any goods or merchandise or similar activities on TPCC property unless authorized to do so by the TPC Managing Director or designee.

No individual or group shall distribute, circulate, give away or deposit any flyers, circulars, pamphlets, buttons, and advertisements or similar materials on TPCC property unless authorized by the TPC Managing Director or designee.

No individual or group shall install, place, or hold any banner or signage or similar device on TPCC property without approval and designated location by the TPC Managing Director or designee.

Notwithstanding the above, any political speech activities or political advertising shall be subject to reasonable time, place and manner restrictions as determined by the TPC Managing Director or designee and authorized by applicable law.

**Multiple Use:** TPC reserves the right to limit the use of TPCC facilities and number of uses by any one group so that the entire community may make use of the limited facilities available.

Multiple and/or repeat reservations of any given group will be contingent upon their appropriate care of the facility and observance of approved rules and regulations.

Other than as provided in paragraph 4, the use of the facility by any organized group or association for operations or activities shall be subject to availability and specific terms and conditions as designated by TPC. Due to limited space availability and various community needs, facility users' operations or activities on a long-term basis (more than

6 months) shall be prohibited unless authorized by the TPC Managing Director or designee.

Groups in Classifications I and II (see p.2) may reserve the facility for monthly or weekly meetings, up to one (1) year. A new application is required on an annual basis. An approval for an annual use does not constitute automatic approval for the following year.

Should a resident group require facility space during the same time as a non-resident group, the non-resident group's Facility Use Agreement may be canceled with 30 days written notice by the Managing Director or designee.

**Minors / Supervision of Children:** Groups composed of minors shall be supervised by one adult (25 years of age or older) per each twenty-five (25) juveniles at all times while using the Center. The adult who will be responsible for the activity must make the application for use of the facility. Minors are defined as those under the age of 18, except in the case where alcohol is served, when minors are defined as those under the age of 21. A parent or designated adult must supervise children under the age of 12 at all times while visiting the Center unless they are under the direct supervision of a class instructor or program leader.

**Damage Responsibility:** TPC is not responsible for damage or theft to any equipment or property of caterers, bands, DJs, vendors, or other facility user groups. All facility user groups are solely responsible for the care, safety and security of their own, leased or contracted equipment and supplies.

**Storage:** Due to limited space, there shall be no overnight storage of equipment and supplies for facility user groups.

**Decorations and Signage:** All decorations and signage are the responsibility of facility user groups. Staff reserves the right to request the removal of any decorations that may be considered a fire hazard or which may be damaging to equipment or facility. The TPC Managing Director has final approval of all interior and exterior decorations and signage of facility users. The design and location shall be presented to the Managing Director as part of the proposed facility rental application.

**Decorating Guidelines:** All decorating is to be done by patron or hired service; Decorations may consist of balloons, floral arrangements, freestanding arches, or table top displays; Decorations or signs are not to be tacked, screwed, stapled or nailed to any walls, windows, ceilings or fixtures. Only blue painter's tape is allowed for posting or adhering items to walls; Birdseed, confetti, glitter, straw, hay, rice, sand, and silly string is prohibited inside or outside the building; Clean up of decorations, including retrieving loose balloons from meeting room ceilings, must be done by Permittee following the event during allotted rental time stated on Agreement. Any time that exceeds the regularly scheduled contract time will be charged to the Permittee, including staff overtime charges and hourly room rental fee.

**Please note that there are additional regulations regarding candles/open flame.(See Section D.)**

At no time shall Fire Exits and signs be covered or obstructed.

The Permittee must remove balloons immediately following the activity. Balloons are not to be released outside the building. No free-floating balloons are permitted inside the building because of lights, air vents and high ceilings. Failure to remove balloons may result in additional fees charged to the applicant.

**Youth Oriented Activities:** All user groups with a youth oriented event (an event held in honor of a youth) must meet the following requirements: If a Minor/Youth is a guest of honor, he/she must be a Town of Johnsburg resident. Proof of residency for minor is required during the Facility rental review process; No alcohol is allowed; Event must end by 11:00 p.m.; Maximum attendance is 150 people, depending upon building set-up and maximum occupancy for each room used; Event must have one (1) adult chaperone at least 25 years of age or older per 2 5 youths, plus one (1) adult chaperone to manage invitation list at event entry. \*

**Noise Control:** All user groups are responsible for controlling noise that is disturbing to other activities in the building or the surrounding neighborhood. TPC staff has the right to require groups to reduce their sound/noise level of music or P.A. systems. Groups that do not comply with this request will have activity shut down and may forfeit any future use of facility.

**Right to Enter:** Designated TPC Staff and Town officials shall have the right to enter all portions of the Center at all times and occupancies.

#### **Matrix of User Charges\***

##### **Resident for Personal, Meetings or Fundraising**

Kitchen \$75.00

Each Meeting Room \$20.00

Foyer / Gallery \$55.00

Lower Lobby \$55.00

Auditorium \$250.00

Control Booth \*\*\* Cost of Technician \$150.00

Entire Building \$500.00

##### **Non-Profit, Town Government, or Volunteer Recreational, Educational, Service / Civic Group**

###### **Personal and Meetings no charge**

###### **Fundraising following charges**

Kitchen \$75.00

Each Meeting Room \$20.00

Foyer / Gallery \$55.00

Lower Lobby \$55.00

Auditorium \$150.00

Control Booth \*\*\* Cost of Technician \$150.00  
Entire Building \$250.00

**Non-Resident or Non-Profit Special Interest Group**

**Personal, Meetings, Fundraising**

Kitchen \$75.00  
Each Meeting Room \$20.00  
Foyer / Gallery \$55.00  
Lower Lobby \$55.00  
Auditorium \$250.00  
Control Booth \*\*\* Cost of Technician \$150.00  
Entire Building \$500.00

**Private / Special Interest Group**

**Personal, Meetings, Fundraising**

Kitchen \$100.00  
Each Meeting Room \$50.00  
Foyer / Gallery \$75.00  
Lower Lobby \$100.00  
Auditorium \$500.00  
Control Booth \*\*\* Cost of Technician \$300.00  
Entire Building \$1,000.00

**Commercial Group**

**Personal, Meetings, Fundraising**

Kitchen \$100.00  
Each Meeting Room \$50.00  
Foyer / Gallery \$75.00  
Lower Lobby \$100.00  
Auditorium \$500.00  
Control Booth \*\*\* Cost of Technician \$300.00  
Entire Building \$1,000.00

**\*The Tannery Pond Center Director has the final authority, as delegated by the Town of Johnsburg, regarding room use charges.**

**\*\*Each Town of Johnsburg resident is entitled to one personal use of Tannery Pond per year at no charge.**

**\*\*\*Use of the control booth requires the assistance of a trained technician. Any costs incurred by TPC for a technician will be paid by the user.**

Mr. Olesheski said he was very impressed with the work that Ms. Zack and Mrs. Welch had done on the building use and fees.

***RESOLUTION # 77-17***

Mr. Olesheski presented the following resolution and moved its passage with a second from Ms. Nightingale to approve and accept the new Tannery Pond use guide and fee schedule.

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

**OCCUPANCY TAX**

Mr. Olesheski stated that there were two Occupancy Tax applications that didn't get approved last fall and now there is still \$18,000.00 available and he would like to award Waynestock \$2,500.00 and Allen's Engine Show \$1,000.00

***RESOLUTION # 78-17***

Mr. Olesheski presented the following resolution and moved its passage with a second from Mr. Stevens to approve and award Occupancy Tax to Waynestock in the amount of \$2,500.00 and Allen's Engine Show in the amount of \$1,000.00

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

Mr. Olesheski said that there had been a misunderstanding between Tannery Pond and the Occ Tax committee and that the Tannery Pond thought that they had been awarded \$5,000.00 to fund their scheduler for 6 months and then they would get another \$5,000.00 for the next 6-months but the award had only been for one 6-month period. His recommendation to the board is that they change the award to a total of \$10,000.00 for this year with the understanding that next year 2018 may only be for \$5,000.00 for the entire year.

***RESOLUTION # 79-17***

Ms. Nightingale presented the following resolution and moved its passage with a second from Mr. Stevens to change the award for Tannery Pond Center to a total of \$10,000.00 for this year 2017 with the understanding that next year 2018 may only be for \$5,000.00 for the entire year.

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

### **Chamber of Commerce**

Mr. Olesheski stated that the Chamber of Commerce is having about 40 Travel Writers coming to the area and the Chamber is looking for about \$800 to put on a luncheon in the area. Mr. Arsenault stated that they could do possible an approve for \$1,000. Mr. Olesheski stated that maybe we should sit on it until more information is obtained.

### **E.M.S. Committee**

Mr. Arsenault asked Ms. Nightingale and Mr. Olesheski if they would like to volunteer to be on the Fire/EMS committee, they both confirmed that yes, they would like to do so.

### ***RESOLUTION #80-17***

Mr. Stevens presented the following resolution and moved its passage with a second from Mr. Arsenault appoint Ms. Nightingale and Mr. Olesheski to the Fire/Ems Committee.

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

### **OLD BUSINESS:**

#### **Ski Bowl Park Update by Kelly Nettle**

Mrs. Brown was with Mrs. Nettle and she found a spot by the tennis courts that would be perfect for 3 Pickle Ball Courts and it could be set up for about a \$1000.00, \$1,500.00 if benches are included. The Board told her to go ahead and get things started for the Pickle Ball Courts.

Mrs. Nettle mentioned that the Tennis Courts needed repair and said she would come back to the Board with cost estimates.

Mrs. Nessel let the Board know that Wayne Lamothe would like to know by the end of the month what grants the Town of Johnsbury is hoping to get for their projects. Mrs. Nessel has spoken to 3 different engineers about the drainage at the Ski Bowl connect, Tom Hutchins, Zack Monroe, and Mark. The estimate she said is around \$10,000.00 Mrs. Nessel would also like to see 10 or 12 lights put in and the cost for that would be about \$22,000.00. The sand area should also be reclaimed she said. There is about \$4,500.00 still available from the Smart Growth Grant from 2014 and Mrs. Nessel wants to use that toward the stone etc. for the picnic loop \$8,000.00 would still be needed for that part of the project. Mrs. Nessel said we are looking at approximately \$85,000.00 for the whole thing. Mrs. Nessel asked for tentative approval for \$14,000.00 a year for 3 years for these projects, the Board said that would be fine.

### ***RESOLUTION #81-17***

Mr. Arsenault presented the following resolution and moved its passage with a second from Mr. Olesheski to give tentative approval for \$14,000.00 a year for 3 years for the projects in the Ski Bowl.

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

### **Ski Museum**

### ***RESOLUTION #82-17***

Mr. Stevens presented the following resolution and moved its passage with a second from Ms. Nightingale to enter into agreement with the NY Museum of Skiing and Ski Hall of Fame to lease mutually agreed upon portion of land for the Museum.

### **Agreement between Town of Johnsbury And NY Museum of Skiing and Ski Hall of Fame**

In order to expedite future planning for both Ski Bowl Park and the NY Museum of Skiing, The Johnsbury Town Board agrees to lease to the museum a mutually agreed upon portion of land (approximately 1-3 acres) of Ski Bowl Park along the west side of Route 28 between the junction of Rt 28N and Armstrong Memorial

Fountain. The two parties to this agreement will collaborate to find a mutually acceptable exact location site as the area is reclaimed and the plans for the park venues are finalized.

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

## **NEW BUSINESS**

### **ACO Monthly Report**

Mr. Arsenault stated that the ACO report for April 2017 was in the Board packets

### **ZEO Monthly Report**

Councilman Arsenault noted that the Zoning Enforcement Officer, Danae Tucker's monthly report March 2017 Report #3, and April 2017 Report #4 are included in the Boards Packet.

### **Department of Transportation- renewal of shared service agreement**

#### ***RESOLUTION # 83-17***

Mr. Stevens presented the following resolution and moved its passage with a second from Mr. Olesheski to authorize the Highway Superintendent to enter into an agreement with DOT for shared services for 2 or 4 years.

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

### **Highway Kerosene Tank**

Ms. Nightingale stated that per DEC highways kerosene tank needs to be moved, painted and have a gauge put on. Matt Olden received a quote from GA Bove for \$4,200.00 to empty, move paint, refill, and put a gauge in the tank.

#### ***RESOLUTION # 84-17***

Mr. Stevens presented the following resolution and moved its passage with a



second from Mr. Olesheski to accept the quote from G. A. Bove.

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

## **SOLAR**

Mr. Arsenault stated that he had spoken with Ms. Tucker the Towns ZEO about Solar Installation. Mr. Arsenault was also in touch with the Towns Attorney who has stated the Town should do a moratorium for six months on Solar Energy Systems within the Town. This does not include roof mount. It was discussed to hold the Public Hearing at 6:30 PM at the Wevertown Community Center.

### **TOWN BOARD OF THE TOWN OF JOHNSBURG COUNTY OF WARREN, STATE OF NEW YORK**

#### **Resolution No. 85 of 2017**

Adopted May 16, 2017

Introduced by Ms. Nightingale  
who moved its adoption

Seconded by Mr. Stevens

### **RESOLUTION INTRODUCING A PROPOSED LOCAL LAW ENACTING A MORATORIUM ON SOLAR ENERGY SYSTEMS IN THE TOWN OF JOHNSBURG**

WHEREAS, the Town Board of the Town of Johnsburg has, pursuant to Town Law Article 16 and the Municipal Home Rule Law of the State of New York, the power to consider and adopt Local Laws protecting the health, safety and welfare of the people of the Town of Johnsburg; and

WHEREAS, the Town Board has been advised that there may be a gap in the Town of Johnsburg Zoning Law relative to the regulation and siting of solar energy systems in the Town of Johnsburg; and

WHEREAS, the Town Board believes that it is necessary to review the Town of Johnsburg Zoning Law and possible amendments thereto as it relates to the regulation of solar energy systems in the Town of Johnsburg; and

WHEREAS, the Town Board wishes to consider the adoption of a six (6) month moratorium on the construction of solar energy systems, except for roof mounted solar power generation systems, and wishes to set a public hearing concerning a potential moratorium; and

WHEREAS, a draft moratorium has been drafted in Local Law form; and

WHEREAS, the Town Board wishes to schedule a public hearing and conduct the proper referrals for such proposed moratorium.

NOW THEREFORE BE IT

RESOLVED, that the Town Board hereby accepts for introduction a proposed Local Law adopting a six (6) month moratorium on solar energy systems in the Town of Johnsburg; and be it further

RESOLVED, that the Town Board hereby schedules a public hearing to be held before the Town Board on June 20, 2017 at 6:30 p.m. at Wevertown Community Center, 2370 State Route 28, Wevertown, New York, to hear all interested parties regarding proposed Local Law enacting a moratorium on certain solar energy systems as defined in said Local Law, in the Town of Johnsburg; and be it further

RESOLVED, that the Town Clerk working with Town counsel is directed to transmit the draft local law together with notice of the public hearing as provided for in the General Municipal Law; and be it further

RESOLVED, that the Town Clerk is directed to publish and post notice of the public hearing in accordance with applicable law; and be it further

RESOLVED, the adoption of a moratorium is a Type II action at under the State Environmental Quality Review Act and the regulations promulgated thereunder at 6 NYCRR 617.5(b)(30), requiring no further environmental review; and be it further

RESOLVED, that this resolution shall take effect immediately.

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

### **Warren County Hazard Mitigation Plan**

Mr. Olesheski stated that Mr. Hitchcock went above and beyond his job in helping put this together.

### ***RESOLUTION # 86-17***

Mr. Olesheski presented the following resolution and moved its passage with a second from Ms. Nightingale.

Town of Johnsburg  
Town Board  
219 Main Street, North Creek, NY 12853

WHEREAS, Town of Johnsburg, with the assistance from Jim Lieberum, Hazard Mitigation Coordinator, has gathered information and prepared the Warren County Hazard Mitigation Plan; and

WHEREAS, the Warren County Hazard Mitigation Plan has been prepared in accordance with the Disaster Mitigation Act of 2000; and

WHEREAS, Town of Johnsburg is a local unit of government that has afforded the citizens an opportunity to comment and provide input in the Plan and the actions in the Plan; and

WHEREAS, Town of Johnsburg have reviewed the Plan and affirms that the Plan will be updated no less than every five years;

NOW THEREFORE, BE IT RESOLVED by Town Board that Town of Johnsburg adopts the Warren County Hazard Mitigation Plan as this jurisdiction's Natural Hazard Mitigation Plan, and resolves to execute the actions in the Plan.

ADOPTED this 16th day of May, 2017 at the meeting of the Town Board

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

### **Standard Work Day and Reporting**

#### ***RESOLUTION # 87-17***

Mr. Olesheski presented the following resolution and moved its passage with a second from Ms. Nightingale to update the standard work day & retirement reporting resolution.

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

### **July 4<sup>th</sup> Celebration**

Mr. Arsenault updated the Board on preparations for the celebration. There has been inquiry about getting a permit to have a beer tent.

#### ***RESOLUTION # 88-17***

Ms. Nightingale presented the following resolution and moved its passage with a second from Mr. Olesheski to approve having a beer tent at the Ski Bowl for the July 4<sup>th</sup> celebration.

With 4 members voting in favor, the resolution is declared carried. Ayes-4 (Arsenault, Olesheski, Nightingale) Nays -1(Stevens)

### **Motion to pay warrants**

#### **Warrant for May 8, 2017**

#### ***RESOLUTION # 89-17***

Ms. Nightingale presented the following resolution and moved its passage with a second from Mr. Olesheski that the following certified bills which have been reviewed by the board members for May 8, 2017:

**General Fund** (Total \$3,018.84) - Claims #17-416 & 17-418 & 17-719

**Highway Fund** (Total \$152.99) - Claims #17-417

**Water District SW** (Total \$2608.00) – Claims #17-420

**Total all warrants \$5,779.83**

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

### **Warrant for May 16, 2017**

#### **RESOLUTION # 90-17**

Ms. Nightingale presented the following resolution and moved its passage with a second from Mr. Olesheski that the following certified bills which have been reviewed by the board members for May 16, 2017:

**General Fund** (Total \$39,823.38) - Claims #17-437 & 17-443 & 17-446-456 & 17-458-464 & 17-466 & 17-470-475 & 17-484-502

**Highway Fund** (Total \$152.99) - Claims #17-421-436 & 17-438-445 & 17-463 & 17-466 & 17-472-474 & 17-476-478 & 17-503

**Fire Protection District SF** (Total \$ 46,708.76) – Claims # 17-465

**Water District SW** (Total \$2,039.36) – Claims #17-457 & 17-473 & 17-502 & 17-504-505

**Public Library Fund L** (Total \$ 1,489.72) – Claims # 17-463 & 17-467-469 & 17-472

**Trust & Agency Fund TA** (Total \$ 3281.89) – Claims # 17-472-474

**Total all warrants \$132,780.40**

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

## **PRIVILEGE OF THE FLOOR**

Mr. Nettle asked that someone look into the cost of Outhouses VS Port a Potts because at present the Town is paying \$300.00 a month to rent Port A Potts.

Mr. Nettle also brought it to the Boards attention that Wevertown Fire House is on the list of properties in the Town of Johnsbury to go up for auction for back taxes.

Ellen S. Schaefer from the Depot Museum & Historical Society gave a short report on the History weekend that they are doing in September

“Things are shaping up for our 2nd Annual TOJ History Weekend. We have commitment from the Cub Scouts to do a food booth, looking forward to OTTG doing an Old-Time Photo Booth, static displays on Teddy Roosevelt, Thomas Durant, and Ski History, and a hands-on mining exhibit for children. As previously stated, Justin Gonyo has agreed to run the turntable at the Station and Chuck Barton will bring up the restored 1926 Fire Engine. I am hopeful that Rotary will agree to run a "Touch-A-Truck" exhibit featuring both modern and antique/vintage large vehicles. I am also waiting for confirmation that Rail Fair will be taking place at Riverfront Park as well. Lots of great possibilities.”

Mrs. Schaefer asked Mr. Olesheski based on what she heard in the meeting tonight if the Depot Museum could use Occ Tax funds to pay for painting a sign and he told her yes.

On Motion of Mr. Olesheski and seconded by Ms. Nightingale the meeting was adjourned at 10:00 p.m.

The next regular Town Board meeting will be held at 7:00 p.m. on June 20, 2017 at Wevertown Community Center, 2370 State Route 28, Wevertown.

Prepared by Joann M. Morehouse, Deputy Town Clerk

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