

**Minutes of the Town of Johnsbury  
Regular Meeting  
July 18, 2017  
Tannery Pond Community Center  
228 Main Street, North Creek, NY**

Minutes of the Regular Meeting of the Town Board of the Town of Johnsbury held on Tuesday July 18, 2017 at 7:00 PM at the Tannery Pond Community Center, 228 Main Street, North Creek, NY.

**Regular Meeting**

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  
Jo A Smith -- Town Clerk

Absent: Supervisor - Ronald Vanselow

**APPROVAL OF MINUTES FOR REGULAR MEETING JUNE 20, 2017**

***RESOLUTION #106-17***

Mr. Stevens presented the following resolution and moved its passage with a second from Mr. Olesheski to accept the minutes of the June 20, 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:**

Joan Burch – We have reserved the Pavilion and the Joe Minder Hall for August 11<sup>th</sup> – 13<sup>th</sup> for a family reunion – Waterston Family. Would be having about 8 – 10 campers at the park for this time.

**Joan Burch Request*****RESOLUTION #107-17***

Ms. Nightingale presented the following resolution and moved its passage with a second from Mr. Stevens to approve and accept the request from Ms. Joan Burch to allow camping for the Waterston Family Reunion from August 11<sup>th</sup> to 13<sup>th</sup>. Campers are required to park by the Tennis Courts or along the Transfer Station Road on the Beach side.

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

**COMMITTEE REPORTS:****Mill Creek Citizens Committee**

Mr. Stevens stated that the committee had met on July 10<sup>th</sup>. Mr. Stevens also suggested that there be two separate agreements with OSI; one for the Sullivan's Island and then one for Black Hole.

Ms. Wood stated that she has been down by there a few times and it seems that the "No Parking" signs are working.

Mr. Arsenault stated that the Town has more than enough insurance to cover the Black Hole.

Ms. Deana Wood presented the following to the board:

**SAFETY SIGNS ON HARRINGTON ROAD**

As there has been an ongoing concern for the safety of the children who reside on Harrington Road, and we continue to review the possible acquisition of the Mill

Creek Area currently owned by OSI, we realize the need to address these concerns. Both Dunkley Falls and the Black Hole have become regular tourist attractions, so the number of cars travelling on the road has increased significantly.

The ever-increasing popularity of this space creates a hazardous driving condition for both visitors and residents.

Therefore, we strongly recommend that “Watch for Children-20 mph” signs be placed at the following locations:

Starting from State Route 8: just after Heath Road before the bridge; and again, just before 362 Harrington Road (1.9 miles from State Route 8).

Starting from State Route 28: just before 322 Harrington Road (1.4 miles from State Route 28); and again, between the Nickerson and Perryman residences (at 3.0 miles from State Route 28).

This would provide 2 sets of signs to protect the children who reside on Harrington Road.

### **Mill Creek Citizens Committee – Signs**

#### ***RESOLUTION #108 -17***

Ms. Nightingale presented the following resolution and moved its passage with a second from Mr. Stevens to approve and accept the request from the Mill Creek Citizens Committee to order and place “Watch for Children-20 mph” starting from State Route 8: just after Heath Road before the bridge; and again, just before 362 Harrington Road (1.9 miles from State Route 8) and Starting from State Route 28: just before 322 Harrington Road (1.4 miles from State Route 28); and again, between the Nickerson and Perryman residences (at 3.0 miles from State Route 28).

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

### **Zoning Enforcement Office**

Mr. Olesheski and Mr. Stevens met with the Zoning Enforcement Officer, Ms.

Tucker regarding updating / changes to the Zoning Law.

### **Tannery Pond**

Mr. Olesheski stated that Tannery Pond has been pressure washed and all the windows have been cleaned inside and out. The cleaning company recommends painting the building.

### **River Road**

Mr. Arsenault stated that the Town's Attorney is working on the easements for River Road.

### **North Creek Methodist Church**

Mr. Arsenault reported that the North Creek Methodist Church would like to use the Senior Meal Site Building on Sundays this winter.

### **OLD BUSINESS**

#### **Naming of Private Road (Sam Parker Road) off South Johnsbury Road**

Mr. Arsenault stated that Mr. John Parker sent in a letter looking for a name for his private road.

#### ***RESOLUTION #109-17***

Ms. Nightingale presented the following resolution and moved its passage with a second from Mr. Stevens to accept and approve the recognition of the existence of a private road, which will be maintained by the property owner and not the Town of Johnsbury and to name this private road as the "Sam Parker Road" per property owners request.

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

**NEW BUSINESS****Designate A Budget Officer to Prepare the budget for 2018**

Mr. Arsenault was nominated for the Budget Officer.

***RESOLUTION #110-17***

Mr. Stevens presented the following resolution and moved its passage with a second from Ms. Nightingale to accept and approve Mr. Arsenault as the Town of Johnsburg's Budget Officer for the remaining of the 2017 year.

With 3 members voting in favor, the resolution is declared carried. Ayes-3 (Stevens, Olesheski, Nightingale) Nays - 0 Abstained – Arsenault

Mr. Nessel stated that Mr. Arsenault then should get paid for the remained of the year for Budget Officer.

**Town Hall / Library Solar System Award**

The Clerk stated that the bids were opened at 4:00 pm on Friday July 14, 2017 in her office.

Kasselman Solar, LLC for a 26.6 KW \$55,000 and labor \$15,000 = \$70,000

Kasselman Solar, LLC for a 15.9 KW \$35,000 and labor \$6,340 = \$41,340

Apex Solar Power for a 23.52 Watts \$65,856

***RESOLUTION #111-17***

Mr. Stevens presented the following resolution and moved its passage with a second from Ms. Nightingale to accept the three Solar Bids and to have the Building's Committee review them.

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

## **Supervisors Monthly Report – June 2017**

### ***RESOLUTION #112-17***

Mr. Stevens presented the following resolution and moved its passage with a second from Mr. Olesheski to accept and approve the Supervisors Monthly Report for June of 2017.

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

### **ACO Monthly Report**

Councilman Arsenault stated that the ACO report for June 2017 was in the Boards packet.

### **ZEO Monthly Report**

Councilman Arsenault noted that the Zoning Enforcement Officer, Danae Tucker's monthly report for June 2017 was not available.

### **Resolution for the Town Court to apply for the JCAP grant in the amount of \$3,932.98 for a duress button, cameras, new desk, 4-draw lateral file cabinet**

### ***RESOLUTION #113-17***

Mr. Olesheski presented the following resolution and moved its passage with a second from Ms. Nightingale to approve and accept the Town Court to apply for the JCAP grant in the amount of \$3,932.98 for a duress button, cameras, new desk, 4-draw lateral file cabinet.

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

### **EMS Contract**

After discussion regarding the EMS contract and how to help cover the short falls, the board decided to accept and approve changed wordage in the contract.

***RESOLUTION #114-17***

Ms. Nightingale presented the following resolution and moved its passage with a second from Mr. Olesheski to approve and accept the changes to the EMS Contract and to sign the contract after Attorney's approval.

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

**Grant Application for Open Space Institute / Dunkley Falls / Black Hole**

Mr. Arsenault stated that the following is a list of Grant Application's CFA #72408 that Mr. Mothe is working on –

1. The Town of Johnsbury will accept the transfer of approximately 213 Acres from the Open Space Institute commonly referred to as the Black Hole. The Town will complete an overall site utilization plan and then undertake trail work and related site improvements. Tasks also include a site survey and property appraisal -

State Funds ~~\$192,000~~ Match \$195,000 Total \$387,000

2. The Town of Johnsbury will undertake conceptual designs for the 6 major entrances to the Hamlet of North Creek. The Town will select two entrances for completion of construction drawings and then undertake priority elements using, \$90,000 of grant funds

State Funds \$153,000 Match \$---- Total \$153,000

Note 3 & 4 other Towns

5. The Town of Johnsbury will contract for planning and construction documents for a reclamation plan for the property the Town has been mining for road sand. The property will allow for an extension of uses at the Ski Bowl Park.

State Funds \$26,000 Match \$---- Total \$26,000

6. North Creek Business Alliance will provide the public forum for discussion of Corridor Projects and will assist with selection of priorities for work to be undertaken.

State Funds \$----- Match \$3,000 Total \$3,000

## **Highway**

Letter Dated July 17, 2017 from Mr. Dan Hitchcock Superintendent of Highways - On July 1st a 9' arch culvert was damaged during a storm on Glen Creek Rd. Several meetings have taken place with DEC, Army Corp, and WCS&W trying to agree on a solution for repairs, however Army Corp. would not allow a liner, and required a large bottomless box culvert, or a bridge to be installed. Engineering determined a bridge with no shorter than a 24' span would be needed. I have received an est. for \$920,000.00 for this project. WCS&W has submitted for grants for this project, however last year I was told all the grant funding went toward waste treatment plants.

I reached out to Matrax, the company we purchased the hinged portable bridge from and they offer a 3 section, permanent structure with stamped, engineered drawings. The structure would be one lane, (16') wide, and have an HS25 load rating which allow tractor trailers. This structure also comes with a heavy-duty guide rail system, and a PT 2" by 6" deck. The cost of the bridge is \$74,500.00., plus shipping. A footing drawing should be draw up by Spectra, and I am waiting on a reply. Concrete work would also need to be performed by a contractor.

I had a meeting with Kevin Hajos, a bridge engineer with the county yesterday. He looked over my stamped engineered documents, and said everything is in order. He also discussed a similar project the county is getting ready to start. Similar to the bridge they built on Back To Sodom. However, that was a 2 year project, with a cost approx.. \$150,000.00 plus labor.

I feel I have enough funding in chips to pay for most, if not all of this project, if you determine to move forward.

Attached was also a 284 agreement for the Board to sign if they wish to move forward with the project.

## **Highway 284 Agreement**

### ***RESOLUTION #115-17***

Ms. Nightingale presented the following resolution and moved its passage with a second from Mr. Olesheski to approve and accept the 284 Agreement for Bridge



on Glen Creek Road not to exceed the sum of \$100,000.

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

### **Motion to pay warrants**

#### **Warrant for July 18, 2017**

#### ***RESOLUTION #116 -17***

Mr. Stevens 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 July 18, 2017:

***General Fund*** (Total \$57,319.55) - Claims #17-661; 17-664 to 17-667; 17-670 to 17-672; 17-680 to 17-693; 17-695 to 17-697; 17-699; 17-709; 17-723 to 17-729; 17-732 to 17-754

***Highway Fund*** (Total \$25,309.18) - Claims #17-662 to 17-664; 17-685; 17-698 to 17-708; 17-710 to 17-722; 17-730

***Water District SW*** (Total \$8,584.71) – Claims #17-668; 17-669; 17-679; 17-694; 17-723; 17-731

***Library Fund*** (Total \$1,289.68) – Claims #17-655 to 17-660; 17-685

***Trust & Agency Fund*** (Total \$9,563.42) – Claims #17-664 to 17-666; 17-673 to 17-678

**Total all warrants \$102,066.54**

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

### **PRIVILEGE OF THE FLOOR**

Mr. Parobeck asked if the Sewer District could be put out for vote. It was discussed and the Board will be in touch with the Towns Attorney.

Mr. Morehouse asked if the Adirondack Guide Olympics could get \$500 from Occupancy Tax for their Swift Water Safety event on August 7<sup>th</sup> at the Ski Bowl Park. Mr. Olesheski stated that there was about \$10,000 still in that account.

***RESOLUTION #117-17***

Mr. Stevens presented the following resolution and moved its passage with a second from Mr. Olesheski to approve and accept the Occupancy Tax Application from the Adirondack Guide Olympics for their Swift Water Safety event on August 7<sup>th</sup> at the Ski Bowl Park in the amount of \$500.00.

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

On Motion of Ms. Nightingale and seconded by Mr. Stevens the meeting was adjourned at 8:47 p.m.

The next regular Town Board meeting will be held at 7:00 p.m. on August 15, 2017 at Wevertown Community Center, 2370 State Route 28, Wevertown, NY, NY

Prepared by Jo A Smith, Town Clerk

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