

**Minutes of the Town of Johnsburg
Regular Meeting
Wevertown Community Center
2370 State Route 28
February 5, 2019**

Minutes of the Regular Meeting of the Town Board of the Town of Johnsburg held on Tuesday February 5, 2019 at 7:00 PM at the Wevertown Community Center, 2370 State Route 28, Wevertown, NY

Supervisor Hogan called the meeting to order at 7:00 p.m. and the pledge to the flag was led by Arnold Stevens.

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

Presentation by Janelle Ho from Adirondack Research, an environmental company based in Saranac Lake. In association with ANCA (Adirondack North Country Association), Adirondack Research will be working on restoration of the interpretative signs along the Hudson. She said there will be a public meeting at Tannery Pond regarding the project on February 21st at 5:30 pm.

Approval of Minutes for Special Meeting January 16, 2019

RESOLUTION #27-19

Mr. Stevens presented the following resolution and moved its passage with a second from Ms. Arnheiter to accept the minutes of the January 16 special meeting. With 3 members voting in favor, the resolution is declared carried. Ayes- 3 (Hogan, Stevens, Arnheiter) Nays- 0 Abstain – 2 (Arsenault, Olesheski)

Correspondence:

Ms. Lorah listed the letters received:

- Email from Highway Superintendent re: communication with Stewarts about Durkin Rd. and interaction with the Public Service Commission about resolving the trees on wires problem
- Letter from County Attorney containing additional occupancy tax disbursement agreement
- Letter from Cedarwood Engineering and Environmental with annual contracts for Water District maintenance and engineering services with contract
- Letter from Glens Falls Animal Hospital with contract
- Letter re: derelict properties

New Business:

- **Town Justice Account moved to Community Bank**

RESOLUTION #28-19

Mr. Olesheski presented the following resolution and moved its passage with a second from Ms. Arnheiter to approve moving the Town Justice account to Community Bank. With 5 members voting in favor, the resolution is declared carried. Ayes-5 (Hogan, Arsenault, Stevens, Olesheski, Arnheiter) Nays- 0

- **Data breach insurance coverage**

Ms. Hogan presented a quote received from NYMIR (New York Municipal Insurance Reciprocal) regarding Cyber Breach and Liability coverage costing \$627 per year. Chris Heidrich asked if the policy included disaster recovery. It does not, but Ms. Hogan said she would seek a quote to add it to the policy.

RESOLUTION #29-19

Ms. Arnheiter presented the following resolution and moved its passage with a second from Mr. Arsenault to approve the purchase of Cyber Breach and Liability coverage costing \$627 per year. With 5 members voting in favor, the resolution is declared carried. Ayes-5 (Hogan, Arsenault, Stevens, Olesheski, Arnheiter) Nays- 0

- Town plans for moving highway garage

A discussion regarding moving the Highway garage exposed the complexity of the issue. A 10-acre parcel has been purchased by the Town for a sand pit and there is a 15-acre parcel adjacent which could accommodate the Highway garage. Fuel storage tanks will need to be moved. Ms. Arnheiter said that Dan Hitchcock stated that the expense of the land purchase along with the building of a new structure will be so costly that the project would need to go to referendum.

- Transfer station

Ms. Hogan referred to a letter received from the NYS Department of Parks, Recreation and Historic Preservation which stated the Transfer Station must be moved out of Ski Bowl Park. She said that grants submitted for funding for park improvements have not been awarded because of the presence of the Transfer Station within the park.

Mr. Olesheski made note of his frustration with the demand for the move because the Transfer Station was in place prior to other grants received for the park and the State was aware of its existence. Ms. Hogan agreed but expressed concern that ORDA's plans could be impacted by this problem.

The consensus was to form a committee to investigate possibilities for moving both the Transfer Station and the Highway garage. Mr. Arsenault stated that forming a committee will show forward motion on both issues.

Ms. Hogan added that along with Dan Hitchcock, Matt Olden and Ray Flath, and Kelly and Bob Nettle, she would like to see citizens on the committee.

RESOLUTION #30-19

Mr. Arsenault presented the following resolution and moved its passage with a second from Mr. Stevens to approve the formation of a committee to explore ways to move forward with the relocation of both the Highway garage and the Transfer Station. With 5 members voting in favor, the resolution is declared carried. Ayes-5 (Hogan, Arsenault, Stevens, Olesheski, Arnheiter) Nays- 0

- **Durkin Rd**

Subject: stewart's

From: "johnsburghwy1@frontiernet.net" <johnsburghwy1@frontiernet.net>

Date: Fri, Jan 11, 2019 10:24 am

Arnold & Joan Stevens <ajkc2fli@frontiernet.net>, Peter Olesheski <olesheski@gmail.com>, Gene
To: Arsenault <arsenault.gene@gmail.com>, Laurie Arnheiter <hrtco@frontiernet.net>, Andrea Hogan
<supervisor@johnsburgny.com>

Got a call from Stewart's headquarters yesterday. Explained road problem, what caused it, and if Stewart's could make repair. The gentleman was very understanding, and is having a company rep come up and look at road. They said they can't do much before spring, but he mentioned they should have photos of location prior to construction, which is good.

Ms. Arnheiter said she has discussed this with Dan Hitchcock and that the large hole will be fixed when the weather warms. Jim Jones suggested using cold patch in the meantime. Ms. Arnheiter will discuss using cold patch with Mr. Hitchcock.

- **Parks Dept Equipment Rental**

Ms. Hogan relayed Matt Olden's request for permission of the Board to rent equipment to help in snow removal and pushing banks back. Mr. Olesheski suggested he work with the Highway Department and use some of their equipment rather than renting.

Old Business:

- **Cedarwood contracts**

Ms. Hogan said the Cedarwood contracts for Engineering Services and Environmental Services as a Contract Water Treatment Plant Operator remain the same as 2018 with the exception of a 2.5% increase for the Operator.

RESOLUTION #31-19

Mr. Stevens presented the following resolution and moved its passage with a second from Ms. Arnheiter to approve the Cedarwood contracts for Engineering Services and Environmental Services as a Contract Water Treatment Plant Operator for 2019. With 5 members voting in favor, the resolution is declared carried. Ayes-5 (Hogan, Arsenault, Stevens, Olesheski, Arnheiter) Nays- 0

- **Glens Falls Animal Hospital contract**

RESOLUTION #32-19

Mr. Arsenault presented the following resolution and moved its passage with a second from Mr. Stevens to approve the Glens Falls Animal Hospital contract for 2019. With 5 members voting in favor, the resolution is declared carried. Ayes-5 (Hogan, Arsenault, Stevens, Olesheski, Arnheiter) Nays- 0

- **Occupancy tax contract**

Ms. Hogan received a letter from Warren County Tourism and Convention Development giving Town of Johnsburg an additional \$15,000 in Occ tax funds.

RESOLUTION #33-19

Mr. Olesheski presented the following resolution and moved its passage with a second from Mr. Stevens to accept the additional \$15,000 in Occ tax funds from Warren County Tourism and Convention Development. With 5 members voting in favor, the resolution is declared carried. Ayes-5 (Hogan, Arsenault, Stevens, Olesheski, Arnheiter) Nays- 0

Mr. Olesheski explained a situation regarding Occ tax and an award not granted to the “Rock the ‘Daks” event, stating that it was one of the highest scoring applications, but had not been awarded because the committee was not sure it was legitimate to grant funds to an event that was for-profit. After finding events in the area which received Occ tax funding and are for-profit, Mr. Olesheski spoke with Dave Skibinski and again reviewed his application. Mr. Olesheski is suggesting adding the “Rock the ‘Daks” event to the Occ tax awards in the amount of \$4000.

Ms. Hogan expressed support for the event, along with concern that procedure had not been followed for this potential award; that Mr. Skibinski had the opportunity to talk with Mr. Olesheski when no other applicants had presented before the committee, and that this particular award had not been approved by the Occ tax committee.

RESOLUTION #34-19

Mr. Olesheski presented the following resolution and moved its passage with a second from Mr. Stevens to approve an Occ tax award to Dave Skibinski for the “Rock the ‘Daks” event in the amount of \$4000. With 4 members voting in favor, the resolution is declared carried. Ayes- 4 (Arsenault, Stevens, Olesheski, Arnheiter) Nays- 1 (Hogan)

Committee reports:

- Highway – Garnet Hill Road

Garnet Hill Road has been taken off the Highway inventory, which means the Highway Department is not supposed to maintain it any longer. Dwayne Spitzer, Manager of Garnet Hill, said the situation will be a hardship because he does not have the equipment for self-maintenance, so is asking the Town for help. A problem with the Town continuing to maintain the road is liability if something happens while Town equipment is on the road.

RESOLUTION #35-19

Mr. Stevens presented the following resolution and moved its passage with a second from Mr. Arsenault to engage the Town attorney for guidance regarding Garnet Hill Road being taken off the Highway inventory, and the maintenance required which is no longer appropriate. With 5 members voting in favor, the resolution is declared carried. Ayes- 5 (Hogan, Arsenault, Stevens, Olesheski, Arnheiter) Nays- 0

- Solid Waste –

Ms. Hogan said the Sewer Committee met and are at a point where a decision has to be made on what type of system will be used. The committee will meet again in about 10 days to discuss.

- Personnel – Employee MOUs

RESOLUTION #36-19

Mr. Arsenault presented the following resolution and moved its passage with a second from Mr. Olesheski to approve the 2019 Employee MOUs. With 5 members voting in favor, the resolution is declared carried. Ayes- 5 (Hogan, Arsenault, Stevens, Olesheski, Arnheiter) Nays- 0

- Water –

An application for expansion of the Water District is being reviewed by the Town attorney.

- Fire/EMS
- Buildings, Parks and Rec.

There is a question about ownership of projection equipment at Tannery Pond – does Tannery Pond own, or does it belong to the Town. Daphne Taylor believes it is the Town's, but an inventory is in order.

The projector has been unreliable, so Daphne Taylor will start pricing a replacement.

- Planning and Zoning –

A letter received in correspondence referred to a derelict property. There was discussion about what defines a derelict property and the difficulty of identification since the ZEO only works six hours a week. Ms. Hogan will check with Warren County regarding this issue and process.

- Marketing and Economic Development –

A broadband symposium is planned for Friday, March 15 at 6:30 at Tannery Pond Community Center, with all providers planning on attending.

Historian’s bi-monthly and annual reports, Animal control monthly report, ZEO Monthly report

Historian’s December and annual reports, Animal Control monthly report and ZEO monthly report are in the Board packets.

Supervisor’s monthly report

RESOLUTION #37-19

Mr. Arsenault presented the following resolution and moved its passage with a second from Mr. Stevens to approve the Supervisor’s monthly report. With 5 members voting in favor, the resolution is declared carried. Ayes- 5 (Hogan, Arsenault, Stevens, Olesheski, Arnheiter) Nays- 0

Motion to accept warrants:

General Fund (\$26,773.56)
Highway Fund (\$2,022.91)
Fire Protection District (\$7,500.00)
Water District (\$4,468.75)
Johnsburg Emergency Squad (\$141,235.00)
Trust & Fund (\$192.12)

Total all warrants \$182,192.34

RESOLUTION #38-19

Mr. Olesheski presented the following resolution and moved its passage with a second from Mr. Arsenault to approve payment of the warrants. With 5 members voting in favor, the resolution is declared carried. Ayes- 5 (Hogan, Arsenault, Stevens, Olesheski, Arnheiter) Nays- 0

Ms. Hogan referred to the February 19th Town Board meeting, saying that two board members will not be attending, so with the possibility of no quorum, she is asking for a resolution to pay the warrants at that time.

RESOLUTION #39-19

Mr. Arsenault presented the following resolution and moved its passage with a second from Ms. Arnheiter to approve payment of the warrants after February 19th if there is no Town Board meeting on that date. With 5 members voting in favor, the resolution is declared carried. Ayes- 5 (Hogan, Arsenault, Stevens, Olesheski, Arnheiter) Nays- 0

Privilege of the Floor:

Joel Beaudin stated that of the two shuttles operated by the Business Alliance, both are out of commission, one of which has 206,000 miles. He anticipates asking the Board for help in the purchase of another shuttle bus.

Bob Nessle stated that the Town should change from having a Highway Department and a Parks Department to having a Department of Public Works. Mr. Olesheski noted it would be a good time to consider a change because Dan Hitchcock will not be running for reelection as Highway Superintendent. The Board discussed, said the change would have to go to referendum, and decided it would be good to investigate creating a Department of Public Works. Mr. Olesheski said he would start researching at Warren County.

Motion to adjourn:

The motion to adjourn was made by Mr. Olesheski seconded by Mr. Stevens at 9:02 p.m. With 5 in favor the motion is carried. (Hogan, Arsenault, Stevens, Olesheski, Arnheiter) Nays – 0

Next meeting Tuesday, February 19, 2019, 7:00 pm at Tannery Pond Community Center

Prepared by:

Kathleen C. Lorah, Town Clerk