

**Minutes of the Town of Johnsbury  
Public Hearing on Water District Bond and Regular Meeting  
Wevertown Community Center  
2370 State Route 28  
September 3, 2019**

Minutes of the Public Hearing on Water District bond and Regular Meeting of the Town Board of the Town of Johnsbury held on Tuesday September 3<sup>rd</sup>, 2019 at 7:00 PM at the Wevertown Community Center 2370 State Route 28

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

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

**Public Hearing on Water District bond**

Ms. Hogan began the public hearing by explaining the need for repairs and upgrades in the Town's water system – the pipes being about 100 years old, the South tank delaminating and leaking, the North tank requiring repairs, the needed upgrade for the booster station, looping for dead-end lines, etc. She said that the sum of work required is over five million dollars. There is an opportunity to submit a grant request to the NYS Environmental Facilities Corporation for help in funding this work. In order to submit the grant request, the Town must pass a bond resolution which will show the Town's willingness to take on some debt in order to make the repairs possible. Also, the Town must execute a contract with an engineering company to include in the grant application. The public hearing is to provide an opportunity for the Board to address any questions regarding the bond.

Bob Nettle asked for a recap of the water district's issues, which Ms. Hogan provided. She then explained the funding process, i.e. seek NYS Environmental Facilities Corporation grant then search for other funding prior to pursuing a bond.

The Build grant which the Town is seeking could cover much of these repair costs and would also involve a sewer line, so ideally the sewer and water lines could be run at the same time.

The Public Hearing was closed at 7:08 pm.

### **Approval of Minutes for Regular Meeting August 20, 2019**

#### ***RESOLUTION #155-19***

Mr. Stevens presented the following resolution and moved its passage with a second from Mr. Olesheski to accept the minutes of the August 20, 2019 meeting. With 5 members voting in favor, the resolution is declared carried. Ayes- 5 (Hogan, Arsenault, Stevens, Olesheski, Arnheiter) Nays- 0

#### **Correspondence:**

- Adirondack Local Government Review Board
- Ski Program Advisor letter of interest
- Letter of interest for re-appointment to the Youth Committee

Ms. Lorah referenced the above correspondence, saying correspondence packets were available with other handouts and in Town Hall.

#### **Old Business:**

- Presentation by Chazen Group/ Wilderness Property Management of Connections Grant Plan for Ski Bowl

Steve Ovitt and Paul Cummings gave a presentation on existing and potential future trail systems in the Town to explain the possibilities for developing a trail infrastructure for back-country skiing, hiking, snowshoeing, cross-country, biking, etc. In developing this trail system, Chazen and Wilderness Property Management would offer a coordinated approach to marketing and signage, making the venture an economic development project.

The next steps are to budget project segments then pursue grant funding.

- **Water District Bond Resolution**

***RESOLUTION #156-19***

Mr. Stevens presented the following resolution and moved its passage with a second from Mr. Olesheski:

**RESOLUTION ADOPTING PUBLIC INTEREST ORDER FOR THE  
JOINT INCREASE AND IMPROVEMENT OF THE FACILITIES OF THE  
NORTH CREEK WATER DISTRICT**

- WHEREAS, the Town Board of the Town of Johnsburg, Warren County, New York, has had under consideration the joint increase and improvement of the facilities of all of the North Creek Water District (the "District"), consisting of upgrades that generally include, but are not necessarily limited to the following; (1) upgrade of the existing booster station, (2) replacement of the existing 200,000 gallon South Tank located off Route 28, (3) looping of dead-end water main in the system from East Holcomb Street to Ridge Street, (4) Flats area (Ridge Street and Cemetery Road) water main looping, (5) providing a new water main to loop from Well #6 (Ski Bowl Road) to the Town Hall, (6) replacement of the water main, services, and the installation of hydrants along Peaceful Valley Road, and (7) replacement of main, laterals, services, valving and hydrants along Main Street from the Town Hall (located at 219 Main Street) to the NYS Route 28 intersection including original furnishings, equipment, machinery, apparatus, appurtenances and incidental improvements and expenses in connection therewith; and
- WHEREAS, the maximum estimated cost to said District of such joint increase and improvement of facilities is determined to be \$5,325,000 as to which preliminary expenses have heretofore been authorized in the amount of \$5,325,000; therefore, \$5,325,000 being the maximum estimated cost of this phase of said joint increase and improvement of facilities; and
- WHEREAS, such cost shall be annually apportioned among said District by said Town Board, and the amounts so apportioned shall be annually apportioned and assessed upon the several lots and parcels of land within said District in the manner provided by law, in an amount sufficient to pay the principal and interest on said bonds as the same become due, but if not paid from such source, all the taxable real property in said Town shall be subject to the levy of ad valorem taxes without limitation as to rate or amount sufficient to pay the principal of and interest on said bonds as the same shall become due; and
- WHEREAS, the cost to the average consumer and rate payer is attached hereto as Exhibit A; and
- WHEREAS, at a meeting of said Town Board duly called and held on August 20, 2019, an Order was adopted by it and entered in the minutes specifying the said Town Board would meet to consider said increase and improvement of said District, and to hear all persons interested in the subject thereof concerning the same at the

Wevertown Community Center, in Johnsbury, New York, in said Town, on September 3, 2019 at 7:00 o'clock P.M., Prevailing Time; and

- WHEREAS, said Order duly certified by the Town Clerk was duly published and posted as required by law; and
- WHEREAS, a public hearing was duly held at the time and place set forth in said notice, at which all persons desiring to be heard were duly heard;
- NOW, THEREFORE, BE IT
- ORDERED, by the Town Board of the Town of Johnsbury, Warren County, New York, as follows:

Section 1. Upon the evidence given at the aforesaid public hearing, it is hereby found and determined that it is in the public interest to make improvements the facilities of all of the District, consisting of upgrades that generally include, but are not necessarily limited to the following; (1) upgrade of the existing booster station, (2) replacement of the existing 200,000 gallon South Tank located off Route 28, (3) looping of dead-end water main in the system from East Holcomb Street to Ridge Street, (4) Flats area (Ridge Street and Cemetery Road) water main looping, (5) providing a new water main to loop from Well #6 (Ski Bowl Road) to the Town Hall, (6) replacement of the water main, services, and the installation of hydrants along Peaceful Valley Road, and (7) replacement of main, laterals, services, valving and hydrants along Main Street from the Town Hall (located at 219 Main Street) to the NYS Route 28 intersection including original furnishings, equipment, machinery, apparatus, appurtenances and incidental improvements and expenses in connection therewith, at an aggregate maximum estimated cost of \$5,325,000 and \$5,325,000 being the maximum estimated cost herein authorized among said District as described at said public hearing and as hereinabove provided.

Section 2. This resolution shall take effect immediately.

The question of the adoption of the foregoing order was duly put to a vote on roll call, which resulted as follows:

Andrea Hogan VOTING Yes  
Gene Arsenault VOTING Yes  
Arnold Stevens VOTING Yes  
Peter Olesheski VOTING Yes  
Laurie Arnheiter VOTING Yes

The resolution was thereupon declared duly adopted.

## ***RESOLUTION #157-19***

Ms. Arnheiter presented the following resolution and moved its passage with a second from Mr. Arsenault to approve Ms. Hogan executing a contract with

Cedarwood Engineering for work on the North Creek Water District projects, such contract being necessary to submit the WIIA grant. With 5 members voting in favor, the resolution is declared carried. Ayes- 5 (Hogan, Arsenault, Stevens, Olesheski, Arnheiter) Nays- 0

- **Lease Agreement with Front St. for Ski Bowl Connector Trail**

This is a trail that is on Front Street property. The trail needs to be moved onto Town property, but the move won't take place until perhaps next year. In the meantime the Board has to approve a one-year lease agreement with Front Street Mountain Development for use of the Connector Trail.

### ***RESOLUTION #158-19***

Mr. Arsenault presented the following resolution and moved its passage with a second from Ms. Arnheiter to approve a one-year lease agreement with Front Street Mountain Development for use of the Connector Trail. With 5 members voting in favor, the resolution is declared carried. Ayes- 5 (Hogan, Arsenault, Stevens, Olesheski, Arnheiter) Nays- 0

- **Water tank update**

The tank update is that it is still leaking, although Charlie Rawson has lowered the level of water in the tank. The divers who will inspect the tank will arrive in about two weeks and will determine if it can be repaired or if it needs to be replaced.

- **Employee Insurance**

The proposal for employee insurance is to switch from MVP to CDPHP in order to keep costs about the same, keep the Blue Shield option and the dental will remain the same. The deductible will also remain the same.

### ***RESOLUTION #159-19***

Mr. Olesheski presented the following resolution and moved its passage with a second from Mr. Stevens to accept the proposal for employee insurance, switching from MVP to CDPHP, keeping the Blue Shield option. The dental and the

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

- Budget discussion

Ms. Hogan opened the discussion on the budget by asking if the Town should consider selling some land. It was decided that a land inventory should be done so this option can be explored.

The money collected for waste disposal does not come close to paying for the hauling charges the Town has to pay. There was discussion of the pros and cons of raising the price of trash stickers and looking at a new system to better track the use of annual clean-up cards. Totes or dumpsters for residents were also discussed. These are all ideas to think about, Ms. Hogan said.

The budget line for Highway Superintendent is tentatively decreased, with a new person having the position, with an increase in training costs for the position.

The CDC line is tentatively increased to accommodate an income survey for the Town.

Budgeting for beautification: flowers will be in barrels only – no hanging planters; there is money planned for cemetery work; possibility of money for beautification of buildings; possibility of funding for signage at entrances to all communities.

Budgeting for community service: the Town has been funding Tannery Pond Center \$17,000 per year for the salary of the Director. TPCC is asking for \$19,400 in 2020 to help with payroll taxes. Mr. Arsenault pointed out that the understanding between the Town and Tannery Pond was that funding \$17,000 per year was a two-year commitment and 2019 is the end of the two years. He suggested a new conversation to address the situation.

ACOC funding is to remain the same for 2020.

Discussion about funding the North Creek Business Alliance shuttle is tabled until Board members can speak with Joel Beaudin.

Medical and dental cost is now about \$300,000 per year to cover Town employees.

The Board wants to keep the budget lines for purchase of the Goodman property, the River Road project and the pit closure.

**New Business:**

- **Local Government Review Board**

The Local Government Review Board asks the Town for a contribution of \$300 per year for advocacy on behalf of the Town.

***RESOLUTION #160-19***

Ms. Arnheiter presented the following resolution and moved its passage with a second from Mr. Stevens to approve a contribution of \$300 to the Local Government Review Board for advocacy on behalf of the Town. With 5 members voting in favor, the resolution is declared carried. Ayes- 5 (Hogan, Arsenault, Stevens, Olesheski, Arnheiter) Nays- 0

- **Contract with Barrier Free Elevators**

***RESOLUTION #161-19***

Mr. Stevens presented the following resolution and moved its passage with a second from Mr. Arsenault to approve entering into a 5-year contract with Barrier Free Elevators for quarterly examination and cleaning of the Tannery Pond elevator for \$540 per year. With 5 members voting in favor, the resolution is declared carried. Ayes- 5 (Hogan, Arsenault, Stevens, Olesheski, Arnheiter) Nays- 0

- **Investing Town monies**

NYCLASS is an investment vehicle for municipalities. Maja did an analysis of what it would mean if the Town switched from the money market system we currently use to using NYCLASS. She found that we made \$244.19 interest in the first seven months of this year. If we switched to NYCLASS, there is the potential to earn \$1805.00 every month. Mr. Arsenault will look into this and bring the Board a recommendation.

- **Appointments – Youth Committee and Ski Program Advisor**

Thersa Dunkley has requested staying on the JYC and Ann Dingman has requested appointment as Winter Sports Program Director.

***RESOLUTION #162-19***

Mr. Stevens presented the following resolution and moved its passage with a second from Mr. Olesheski to appoint Thersa Dunkley to the JYC and Ann Dingman as Winter Sports Program Director. With 5 members voting in favor, the resolution is declared carried. Ayes- 5 (Hogan, Arsenault, Stevens, Olesheski, Arnheiter) Nays- 0

- **Milk Car**

The Town was given the Milk Car located at the Depot Museum. In order to seek grant funding for restoration of the car, the Museum needs a resolution from the Board giving the Depot Museum exclusive use of the car for an extended period of time. The resolution passed in 2018 gave the Depot Museum exclusive use of the car but did not mention a length of time:

***RESOLUTION #46-18***

Laurie Arnheiter moved to accept the Warren County gift of a milk car for the purpose of the Depot Museum pursuing grants for its renovation with the end result being an outdoor exhibit. A second was made by Gene Arsenault. With 4 members voting in favor, the resolution is declared carried. Ayes-4 (Hogan, Arsenault, Stevens, Arnheiter) Nays- 0

***RESOLUTION #163-19***

Mr. Olesheski presented the following resolution and moved its passage with a second from Mr. Stevens to rescind Resolution #46-18 , accepting the Warren County gift of a milk car for the purpose of the Depot Museum pursuing grants for its renovation with the end result being an outdoor exhibit. With 5 members voting in favor, the resolution is declared carried. Ayes- 5 (Hogan, Arsenault, Stevens, Olesheski, Arnheiter) Nays- 0

***RESOLUTION #164-19***

Mr. Olesheski presented the following resolution and moved its passage with a second from Ms. Arnheiter to accept the Warren County gift of a milk car for the purpose of the Depot Museum pursuing grants for its renovation with the end result being an outdoor exhibit. The Depot Museum will have exclusive rights to the car for 25 years. With 5 members voting in favor, the resolution is declared carried. Ayes- 5 (Hogan, Arsenault, Stevens, Olesheski, Arnheiter) Nays- 0

### **Committee Reports:**

- Occ Tax/Marketing and Economic Development

The Occ Tax and Marketing and Economic Development committees are planning a joint meeting Monday, September 9<sup>th</sup>.

- Planning and Zoning

The Zoning committee is planning a meeting Thursday, September 26 at 5 pm.

- Fire/ EMS

Ms. Hogan met with all but one fire chief and they agreed to hold their budget lines to \$50,000 for 2020.

### **Supervisor's monthly report**

The Supervisor's monthly report is in the Board packets.

### ***RESOLUTION #165-19***

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

### **Privilege of the Floor**

Deana Woods reminded everyone of the History Weekend events taking place.

Ellen Schafer invited the Board and everyone else to the dedication of the caboose.

There will be a meeting at Tannery Pond Wednesday, September 4<sup>th</sup> regarding the future of the Historical Society.

Matt and Mark Parobeck offered to help with trail projects mentioned in the presentation by Chazen and Wilderness Property Management.

**Executive Session to discuss the appointment of a particular person**

***RESOLUTION #166-19***

At 8:58 pm Mr. Stevens presented the following resolution and moved its passage with a second from Mr. Olesheski to enter Executive Session to discuss the appointment of a particular person. With 5 members voting in favor, the resolution is declared carried. Ayes- 5 (Hogan, Arsenault, Stevens, Olesheski, Arnheiter)  
Nays- 0

**Exit Executive Session**

***RESOLUTION #167-19***

At 9:34 Ms. Arnheiter presented the following resolution and moved its passage with a second from Mr. Olesheski to leave Executive Session and reenter the Regular Meeting. With 5 members voting in favor, the resolution is declared carried. Ayes- 5 (Hogan, Arsenault, Stevens, Olesheski, Arnheiter) Nays- 0

**Appointment of Town Assessor**

***RESOLUTION #168-19***

Mr. Stevens presented the following resolution and moved its passage with a second from Mr. Olesheski to appoint Letitia Williams as Town Assessor for a 6-year term with a 6-month probationary period beginning October 1, 2019. With 5 members voting in favor, the resolution is declared carried. Ayes- 5 (Hogan, Arsenault, Stevens, Olesheski, Arnheiter) Nays- 0

**Motion to adjourn**

The motion to adjourn was made by Mr. Stevens seconded by Mr. Arsenault, at 9:35 p.m. With 5 members voting in favor the motion is carried. (Hogan, Arsenault, Stevens, Olesheski, Arnheiter) Nays – 0

Next meeting Tuesday, September 17, 7:00 pm at Tannery Pond Community  
Center

Prepared by:

Kathleen C. Lorah, Town Clerk