

**Minutes of the Town of Johnsburg  
Regular Meeting  
March 3, 2015  
Held at the Wevertown Community Center, Wevertown, NY**

Minutes of the Regular Meeting of the Town Board of the Town of Johnsburg held on Tuesday March 3, 2015 at 7:00 PM at the Wevertown Community Center, Wevertown, NY.

Supervisor Vanselow called the meeting to order at 7 p.m. and the pledge to the flag was led by Supervisor Vanselow.

PRESENT: Ronald Vanselow -- Supervisor  
Arnold Stevens -- Councilman  
Eugene Arsenault -- Councilman  
Peter Olesheski, Jr -- Councilman  
Jo A Smith -- Town Clerk

ABSENT: Katharine Nightingale -- Councilwoman

Guests: Beti Spangel, Larry Phillips, Angela McCall, Robert Nettle, Jim Jones, Kelly Nettle, Christian Holt

**APPROVAL OF MINUTES FOR FEBRUARY 3, 2015**

***RESOLUTION #29-15***

Mr. Stevens presented the following resolution and moved its passage with a second from Mr. Arsenault to accept the minutes of the February 3, 2015 regular Town Board Meeting as written.

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

**CORRESPONDENCE:**

1. **Gore Mountain Region Chamber of Commerce-** Letter dated Feb 17, 2015 – request an extension of 2014 Occupancy Tax Award into First Quarter of 2015 in the amount of \$1,150 for producing a brochure promoting the Gore Region's summer attractions.
2. **Laura's** - renewal of liquor license

**COMMITTEE REPORTS:**

Supervisor Vanselow asked Mr. Olesheski if he would like to discuss the Chamber's request. Mr. Olesheski stated that the Chamber submitted two different applications last year. The first was for \$150.00 for the Spring Fishing Derby held at the beach area. The second was for \$1,150 for the brochure. Mr. Olesheski went on to explain that in the application and also in the contract states 30 days to submit voucher from event date. (Per the contract that they signed it states "Failure of the contractor to submit all payment request forms within said 30 days, shall result in forfeiture of all remaining funds available under the Agreement.") Since the fishing voucher with receipts were received in January 2015 and the event date was in the beginning of May 2014. Mr. Olesheski is requesting the board not to honor the voucher from the Chamber in the Amount of \$150.00 for the Spring Fishing. Mr. Olesheski went on to request from the board the extension on the application for the \$1,150 for 2 weeks from tonight to allow them to submit the voucher.

***RESOLUTION #30-15***

Mr. Olesheski presented the following resolution and moved its passage with a second from Mr. Stevens not to honor the Gore Mountain Chamber of Commerce request for the Spring Fishing in the amount of \$150.00; and to give them an extension to March 17th for the Brochure in the amount of \$1,150.00.

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

**OLD BUSINESS:**

**PARKING ORDINANCE** - Supervisor Vanselow stated that he received an e-mail from Attorney Fuller regarding the Parking Ordinance and will forward it to the Board members and will have it on the agenda for March 17th.

**BEACH DISCUSSION** - Supervisor Vanselow stated that Ms. Kelly Nessel would be discussing. Ms. Nessel gave the board the following handouts and discussed them.

Hand Out #1

STATUS OF GRUNBLATT BEACH - SKI BOWL PARK - MARCH 2015

Sanitary Survey

- Submitted; awaiting DOH response

Water

- Secchi disk tests during summer showed water to be clear to 7' (bottom)
- Volume test in late September indicated 42,000 gallons per day from pipeline with 1" of head above pipe. NYS requires 100 gallons per day per swimmer.
- Sludge judge test indicated 2-6" of muck on bottom

Weeds

- Summer 2012, APA declared our swimming pond a wetland and therefore subject to all sorts of regulations. However, they did give us a permit to hand-harvest weeds and to use benthic mats.
- Fall 2012 Pete Morehouse hand weeded with visibly positive results but not 100%
- 2013 met with Soil and Water, DEC, APA, and ACE to plan what we could do to drain pond so we could get rid of muck and weeds. In fall, everything seemed in order to move ahead.
- 2014 something went amiss and no permit was issued but Soil and Water suggested touching base with Harris Bay Yacht Club for rental of their dredge

- The deal: we use their dredge; they dump their dredged materials here after testing by DEC; okayed by Danny Hitchcock and Ron; Win-Win
- Dredge broke down in September; available this spring.
- Soil and water furnishing the turbidity curtain; APA has issued a non-jurisdictional letter; dates have to be firmed up
- Dave Wick has said Kelly could touch base with him about benthic mats—he may have some we can use.
- Kelly will need help getting turbidity curtain; she needs a dredge operator
- The aeration system will go in after the dredging project is finished.
- The electric cable will be hooked up as well.

### Vision 2020

- Picnic area with sites that have grill, table, parking
- Boardwalk to shore up edge of pond where fishermen fish
- Swim area developed
  - Weed free
  - Muck free
  - Better sloped bottom
  - H shaped dock system
  - Fun Float
- Terraced beach sand area
  - Play area
  - New bath house
  - Road straightened
- Benches along berm

### Grants

- Smart growth grant 2015: primarily for trails, but requested picnic tables, benches
- Ford Motor Car Co. grant 2015: currently writing for terracing blocks
- Chas. R. Wood Foundation left over for float

### Town and Friends Input

- NYSOPRHP grant of \$115, 820

- \$19,915 in other grant money
- \$ 9,958 credit
- \$11,900 credit from \$23,816 in volunteer labor submitted and gifts
- Total from Friends \$41,773
- Total from NYS \$57,910
- Town investment in park \$16,137

### Request Investment

- Float
- H-shaped docks
- Sieved sand for extending bottom slope

### Hand Out #2

#### Afternoon Summer YP - Progressive Swim Program

The Johnsburg Youth Committee has embraced the goal of making our summer youth program similar to Minerva's program by extending the day another 2.5 hours and offering a good progressive swim instruction.

#### NYS Personnel Requirements:

- Aquatics Director/WSI
  - 21 or older
  - Experienced—12 weeks as camp lifeguard (2 seasons)
  - CPR certified
  - Lifeguard supervision and management certified
  - Knowledgeable re safety plan
- Lifeguard
  - 17 yrs.
  - First aid and CPR
- Counselors (not under NYS law)
  - >16 yrs.
  - Strong swimmer(lifeguard certified or local test)
  - Ratios in water:
    - <6 yrs is 1:6
    - <8 is 1:8
    - >8 is 1:10

- Ratio on beach
  - 1:12
- Lifeguard
  - 1:25

The new day Tuesday-Friday:

8-9AM: Bus pick up

9-12 AM: Sports program

12-12:30: Lunch (brought by child) Supervised by afternoon counselors

12:30-12:50: Walk to beach, change into suits, get into class groups

12:50-1:30 Swim lessons and practice

1:30-2:30 Free swim

2:30-2:50 Change

2:50: Bus leaves to bring kids home

Changes for parents:

- Anyone not wishing to stay for swim lessons/free swim must be picked up by parent or guardian.
- Lunch will have to be sent with child
- Swimsuit and towel need to be brought
- Day care starts after 3 PM instead of 12:30PM

Change for bus driver:

- Maintains a four hour day, but will not be paid to hang around in between bus rides
- Might mean two bus drivers—AM and PM

### Changes for counselors:

- AM counselors (20 hours/week) will probably not be PM counselors unless they are certified life guards and want to teach swimming
- Positions needed: 5-7 counselors age 16 + with lifeguard certification; 1 Water Safety Instructor. Number of counselors depends on number of swimmers. Pre-season sign up.

### Work for JYC:

- Advertise WSI and lifeguard positions in March
- Select WSI asap; and counselors if available
- Interview and select lifeguards early June (after lifeguard classes have been given)
- Publicize swim instruction and changes to Summer YP after April vacation
- 3 Training days for counselor/lifeguard with WSI prior to YP start

### Needs to be done before classes:

- Clear out bath house
  - Throw away and/or store
- Clean bath house walls, floors, toilets, sinks
- Check fixtures for operating condition
- Supply with toilet paper, towels, wastebaskets, etc.
- Purchase new buoys, if needed
  - Install buoy lines
- Have new signs made
  - Install on lifeguard chair
  - Install on bath house wall
- Check out rescue equipment; purchase new, if needed
- Lifeguard chair repaired if needed; umbrella added
- Add a buddy board w/ tags
- Review First aid kit, back board, AED possibility
- Acquire a float and install
- Would like to build/install H-shaped docks and a float to enhance swim lessons

**PROPOSED SWIM PROGRAM BUDGET - 2015 - Swim Personnel**

Position/Expense	Rate/Hr	Total Hours	Total Pay w/withholding
Aquatics Director/WSI	\$15	75 (3 hrs/day plus training)	\$1211
Lifeguard	\$13.50	72 (3hrs/day)	\$1046
7 Counselors	\$10	72	\$5423
<b>Total</b>			<b>\$7680</b>

**Preparatory Costs estimated**

Cost	Estimated Amount
2 Signs	600
Safety Lines	1500
Bath house clean up/repair?	500 ?
Buddy Board	100
Chair Umbrella	85
Megaphone	40
<b>TOTAL</b>	<b>\$2825</b>
Float	\$
H-Shaped Docks	\$



## Hand Out #3

### JYC REPORT

The JYC offers three programs:

- Summer youth program directed by Ann Dingman
  - 5-week program
  - 3 hours /day: 9AM-12PM
  - Average numbers in 2014: 65
  - Bus picks up in AM and drops off after program
  - Mondays are field trip days where busses travel to Water Slide World, Fun Spot, Old Forge, and similar venues
  - Participants engage in sports/games/arts n crafts Tuesday-Friday
  - We lease school buses from JCS for \$1.60/mile and hire a bus driver for \$18/hr more or less
- Winter ski lessons held Sunday afternoons
  - Participants pay \$100 for 6 lessons. JYC has helped with cost by \$30 subsidy.
  - Ann Dingman is “on duty” at Gore; helps kids get into instruction groups; is familiar contact for help on hill; connects parents and kids after instruction
- School year programs
  - Volunteers have attempted to offer a variety of programs to children after school and on some weekends. In the past three or four years we have had: tumbling, tennis, archery, social dance, rocketry, 20 weeks of art classes; choral session, music lessons, canoeing, nature hikes, indoor rock climbing, Nordic ski lessons, swim lessons, photography
  - Support for different activities such as soccer at the Dome, Nordic fitness camp
  - Adirondack Teen Leadership and Service five month seminar
  - Volunteer brigade
  - An occasional trip—Bronx zoo, Natural History Museum, Adirondack Extreme
  - We have established a new 10-month position, Activities Coordinator, as the job of organizing and finding people to offer programming experiences is more than a volunteer job.

Goals 2015

- JYC is committed to making the summer youth program a 6 week program that offers a 5.5 hour day.
- JYC is committed to offering a progressive swim program to our youth.
- JYC is committed to publicizing a number of available opportunities for young people.

Youth Program Comparisons

Comparison	Johnsbury	Minerva	Chester	Newcomb
Summer program	5 weeks	6 weeks	6 weeks	6 weeks
Length of day	3 hours	5 hours		5.5 hours
Swim program	No	Yes	Yes	Yes
Sports program	Yes	Yes	1-week camps	Yes
Fees Non-resident	No	Yes	\$20/week all	n/a
Boating	n/a	Yes	n/a	Yes
Field Trips	5 urban venues	3-4 hikes/overnight	None	2/group-each grp has overnight; older has 2 day hike and 2 day paddle
School Year	Some	Very little	Several	Very little
Ski Season	Yes	Yes	yes	?

Youth Program Wages

Position	Current Rate/hr.	Estimated Hours Worked	Total Annual Pay	Minerva Hrly rate 6 wk 5.5hrs	Newcomb 6 wks 5.5 hrs	Chestertown
Director Summer YP	\$27.86	190		\$16.24	\$28.78	
Winter YP		30				
2014-6 wks		220 total	\$6,131	\$3,637*	\$7,600	\$11,800***
2015-6wks		220	\$6,131			
Ass't Dir.						
2014-5 wks	\$23.44	135	\$3,164	\$1,800	\$4500	
2015- 6 wks	\$19.65	161	\$3,164			
Arts'n Crafts						
2014—5 wks	\$13.05	120	\$1,567	\$1,836**		
2015—6 wks	\$10.88	144	\$1,567			
2015 proposed	\$14.00	144	\$2,016			
Bus Driver						
2014- 5wks	\$18	120	\$2160	\$3032	\$4100	
2015- 6wks	\$18	144	\$2592			

Counselors— 6						
2014—5 wks	\$8.75 +	120	\$5727	\$12,000 (10)	\$22,900	
2015—6 wks	\$10	144	\$8640			

\*Not year round \*\*Health officer \*\*\*Year round estimate

### Youth Program Costs

#### Morning Sports Program

Expense 2014	Amount	Expense 2015
Salaries	\$20,161	\$22,543
Withholding taxes	1273	1,713
Supplies	193	300
Bus Lease	2,923	2,300
Library Sponsorship	340	0
Field Trip Subsidies	500	0
Total Summer YP	\$25,390	\$26,856
Winter Lesson Subsidy	\$ 720	885
Total Sum & Winter	\$26,110	\$27,741

School Year Activities

Expense	Amount 2014	Amount 2015
Dome Soccer	1065	400
Adk. Extreme Trip	415	
LARAC match	633	
Brit. Soccer August	780	
Nordic Fitness	185	
School Year Coord.*	2500	2500
Total School activities	5578	2900
Total 2014	\$31,688	\$30,641 projected thus far

\*To be released

Hand Out #4

Youth Program Director

1. Contact person for the parents, the town, the summer youth program staff, the school staff, the volunteer program advisors, and the venues we visit.
2. Notify the Town Secretary of new programs for insurance purposes.
3. Distribute information for programs and field trips.
4. Collect payment for programs or field trips.
5. Secure bus usage from Johnsburg Central School Board Members.
6. Create summer program schedule.

7. Help the Youth Committee hire the summer staff.
8. Keep track of staff hours and report to Town Book Keeper.
9. Train Counselors.
10. Discipline children.
11. Administer minor and emergency first aid.
12. Check grounds daily.
13. Assist in daily attendance.
14. Assist counselors in daily schedule making.
15. Take responsibility for all children, chaperones and staff on field trips and programs.
16. May have to supervise a specific group of children on field trips.
17. Report problems or hazards to the Town Supervisor.
18. Report overall attendance to the Town Board Members once/year.
19. Report annually to the Warren County Youth Bureau.
20. Evaluate program costs and adjust as needed.

#### Assistant Summer Youth Program Director

1. Manage the daily attendance. Children sign in daily on an age specific attendance chart. The children are then counted at all games all four periods and in the circle at the end of the day.
2. Keep track of bus count and bus changes.
3. Be available to watch children being dropped off late or picked up early.
4. Manage period times and changes.
5. Announce games each period. Also make announcements at the beginning and end of the day.
6. Discipline children.
7. Administer minor or emergency first aid.
8. Second contact for parents.
9. Assist in daily safety check of grounds.
10. Assist in counselor training.
11. Assist counselors in daily schedule making.
12. Supervise a specific group of children on field trips.

13. Supervise second bus on field trips with two buses.

Makes announcements at the beginning and end of day.

#### Arts & Crafts Director

1. Instruct and supervise children ages four-eighteen in arts and crafts projects for four forty minute periods per day.
2. Purchase art project supplies. Report purchases to Town Book Keeper.
3. Create daily art projects for different age groups.
4. Adjust projects in case of period time changes or rain.
5. Supervise a group of children on field trips.

Ms. Nettle stated that they received two applications for the After School Activities Coordinator (The coordinator will act to solicit instructors to hold local classes and seek out opportunities sponsored by other groups or organizations which will provide opportunities for our local youth for all age groups. The coordinator will be responsible for scheduling, publicity, budgeting, record-keeping, and evaluation. The successful candidate will be highly organized, creative, and able to work with adults and children as well administer well. This is a part-time position during the school year which will average 10 hours a month.) and after interviewing both they went with Ms. Kate Hartley.

#### ***RESOLUTION #31-15***

Mr. Olesheski presented the following resolution and moved its passage with a second from Mr. Arsenault to accept the Johnsbury Youth Committee's recommendation to hire Ms. Kate Hartley for the "After School Activities Coordinator".

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

**LOCAL GOVERNMENT DAYS** - Supervisor Vanselow announced that the Local Government days will be held again this year on April 15 & 16 at the Crowne Plaza Resort & Golf Club in Lake Placid and the cost will be \$63.06 per person. Supervisor Vanselow asked that the Town Board approve purchasing registrations for anyone wishing to attend as they had done previously.

***RESOLUTION #32-15***

Mr. Arsenault presented the following resolution and moved its passage with a second from Mr. Olesheski to authorize the payment of registration and mileage for anyone wishing to attend the Local Government Day in Lake Placid on April 15th & 16th 2015.

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

**VILLAGE SQUARE / TOPS** - Mr. Christian Holt Assessor announced that after much effort we have reached a settlement with Village Square/Tops after 5 years of litigation. The basic facts are; This lawsuit has sat since 2010 with no effort on the town's part to negotiate a settlement (to avoid the yearly attorney's fees that have been accumulating). Mr. Holt aggressively entered into negotiations so that we could correct the over-assessment and end the attorney's bills. The property was assessed at \$2,101,000. They were requesting it be lowered to \$550,000. Mr. Holt was able to settle with them for \$1,650,000 (this is \$70/SF). For comparison other similar shopping centers: Bolton Tops (\$82/sf), Schroon Lake (\$58/sf), Warrensburg (\$39/sf), Chestertown (\$47/sf). There will be no refunds for past years that they were contesting. Mr. Holt believes this is a fair settlement and asks for your support to pass a resolution to accept this settlement.

Mr. Holt also stated that he has been in contact with the school and they have no problem with this.

Mr. Arsenault asked why we pay for all the legal fees when the school is also involved? Mr. Holt stated he didn't know, that was the way they had done it in the past.



### ***RESOLUTION #33-15***

Mr. Olesheski presented the following resolution and moved its passage with a second from Mr. Stevens to accept the settlement with Village Square/Tops for \$1,650,000 (this is \$70/SF). There will be no refunds for past years that they were contesting.

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

### **NEW BUSINESS:**

#### **BUILDING REPORT**

Supervisor Vanselow reported that the septic at the Town Hall was repaired and that he has received a quote on replacing the door and windows at the Town Hall.

#### **RESIDENCY REQUIREMENTS FOR BOARDS**

Supervisor Vanselow stated that he had checked with Attorney Fuller regarding residency requirements for boards. Attorney Fuller stated that per Public Officers Law Section 3 you must be a New York resident and a town resident to be on a municipality board.

#### **DELAWARE OPERATIONS INC CONTRACT / WATER DISTRICT OPERATOR**

Supervisor Vanselow noted a copy of the yearly contract with Delaware Operations was in the boards packet and he believes it went up \$50.00 a month. Supervisor Vanselow requested permission to sign the contract on the behalf of the Town.

### ***RESOLUTION #33-15***

Mr. Stevens presented the following resolution and moved its passage with a second from Mr. Arsenault to accept the contract with Delaware Operations, Inc. and authorizing Supervisor Vanselow to sign the contract on behalf of the Town.

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

### **ANNUAL POSTING OF TOWN ROADS**

Supervisor Vanselow informed the Town Board that Highway Superintendent Hitchcock was requesting authority to post the Town Road to protect them from damage.

### ***RESOLUTION #34-15***

Mr. Olesheski presented the following resolution and moved its passage with a second from Mr. Stevens to direct and authorize the Highway Superintendent to post Town Highways according to Subdivision 11 of Section 1660 of Vehicle and Traffic Law that all Town Boards will be temporarily closed upon posting to all vehicles having a gross weights of four tons. Further notice is hereby given that any person or persons violating this order shall be subject to punishment as provided in Section 1800 of the Vehicle and traffic Law.

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

### **ANIMAL CONTROL OFFICER**

Supervisor Vanselow noted that the Animal Control Officer's monthly report for January 2015 from Mr. William Mosher is in the Town Board packets.

### **ENFORCEMENT OFFICER**

Supervisor Vanselow noted that the Zoning Enforcement Officer, Ms. Danae Tucker's monthly report for January 2015 is in the Town Board packets.

### **SUPERVISORS MONTHLY REPORT**

Supervisor Vanselow stated that the Supervisor's Monthly Report for January 2015 is in the Boards packets.

***RESOLUTION #35-15***

Mr. Stevens presented the following resolution and moved its passage with a second from Mr. Olesheski to accept the Supervisor Monthly Report for January 2015.

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

**SUPERVISORS MONTHLY REPORT**

Supervisor Vanselow stated that the Supervisor's Monthly Report for February 2015 is in the Boards packets.

***RESOLUTION #36-15***

Mr. Arsenault presented the following resolution and moved its passage with a second from Mr. Olesheski to accept the Supervisor Monthly Report for February 2015.

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

**MOTION TO PAY WARRANTS dated 3/1/2015 - 3/2/2015**

Supervisor Vanselow asked for a motion to pay the warrants.

***RESOLUTION #37-15***

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

***General Fund*** (Total \$ 19,354.33) - Claims #15- 115 to 15-122, 15-139, 15-145  
15-147

***Highway Fund*** (Total \$ 11,049.25) - Claims # 15-122, 15-123, 15-125 to 15-130;  
15-146

***Fire Protections District*** (Total \$ 186,204.00) Claims # 15 - 15-36 to 15138

Water District Claims ( \$2,615.00) Claims # 15-136 to 15-138

**Total all warrants \$219,222.58.**

**MOTION TO PAY WARRANTS Feb 11, 2015 to Feb 17, 2015**

Supervisor Vanselow asked for a ratification motion to pay the warrants.

***RESOLUTION #37-15***

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

***General Fund*** (Total \$ 31,713.41) - Claims # 15-60; 15-63 to 15-77; 15-95 to 15-105; 15-108

***Highway Fund*** (Total \$ 13,760.97) - Claims # 15-78 to 15-87; 15-95

***Capital Projects Fund*** (Total \$ 2099.30) - Claims # 15-107

***Water District Fund*** (Total \$ 4,377.35 ) Claims # 15-88; 15-89; 15-95; 15-106 to 15-108

***Public Library Fund*** (Total \$ 2,147.55) Claims # 15-90 to 15-95

***Trust & Agency Fund*** (Total \$ 3,278.81 ) Claims #15-95

**Total all warrants \$ 57,377.39.**

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

**PRIVILEGE OF THE FLOOR**

Mr. Bob Nettle asked the status of the Chamber Office. Supervisor Vanselow stated at this time he doesn't know.

Mr. Olesheski stated that the Youth Baseball / Softball are getting ready for another season and he was wondering about the insurance coverage. Supervisor Vanselow stated he will check with Ms. Ferguson and get back to him on it.

On motion of Mr. Stevens and seconded by Mr. Arsenault, the meeting was adjourned at 8:22 p.m.

The next regular Town Board meeting will be held at 7:00 p.m. on March 17, 2015 at Scout Hall Community Center, Sodom, New York.

Prepared by Jo A Smith, Town Clerk

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