

Town of Johnsburg

September 3, 2024

In Attendance: Kevin Bean – Supervisor Anna Bowers – Councilperson
Paul Heid – Councilperson Arnold Stevens – Councilperson
Jim Williams – Councilperson Jean Comstock – Town Clerk

1. Pledge of Allegiance – led by Mindy Preuninger
2. Call to Order the Regular Meeting at 7:00PM
3. Approve the Minutes of the August 13, 2024 Meeting Minutes
RESOLUTION #155 - 24
Ms. Bowers made a Motion to approve and accept the Meeting Minutes of August 13, 2024 and moved its passage with a Second Motion from Mr. Heid. With the following members voting in favor of the Resolution, it is carried. Ayes – 5 (Bean, Bowers, Heid, Stevens, Williams); Nays – 0
4. Bridge New York Project Review – Supervisor Bean introduced Mr. Sableski; Jason Sableski (JMT Engineer) – assisting the Town of Johnsburg (TOJ) with several projects now, roads, bridges and funding, infrastructure is important; TOJ 2 – 2 culverts, 1- crane mtn, 1 – riverside station, 1 – Dippikill 1 – Crosby. It's State funded projects, design report, engineering – quite costly, 5 million can be awarded to TOJ; financially 3 of 4 projects are 100% reimbursable; the Town is responsible for 5% of the total cost; each project is over 1 million including engineering, design, etc. we're at a point to get a Resolution passed to get these projects passed; need to contracts to State, JMT contract, time frame to do all this work – 5 years (it won't take this long); anticipating design 1 year, funding for design can be handled in-house; funding will need to be bonded; first year (possibly two) – design report completed, survey, soil borings, all incorporated; DOT requirements, acquisitions (if needed), could potentially be for easements only; the good thing about these projects is that they have to be DOT standards, 75 service life for bridge, 50 for culverts; if the Town did work and used corrugated materials they would not last more than 15 years; Warren County could take over ownership of the bridge; we try to do these projects most economically as possible if the Town does it; frees up the Highway Department to work on other things; Crane Mountain Road – 1.2 million, all right-of-way work, analysis, depth analysis, permitting, future plans, would accommodate future development; Riverside Station – 1.3 million, history of flooding the road, currently it's only a pipe now; that's pretty much the process and the funding for these projects; typically don't have to take out a bond for the whole project; it's DOT reimbursed; billed monthly and typically takes about two months for reimbursement each time a bill is done; don't need to do a bond for it all. Ms. Bowers -very helpful information; Mr. Williams – funded by the General Fund, we can't do that; if we can re-word it to be sufficient with DOT re: bonding the work; is this an obstacle; Mr. Sableski – Resolution is a standard form from DOT; Ms. Bowers – what we're talking about is a year out in a way? Mr. Sableski – yes; Ms. Bowers – design? Mr. Sableski – yes, about 1 year. Ms. Bowers – how do we manage this? - one resolution to get the ball rolling, then figure out the Bond resolution? Mr. Sableski – I'd have to look into this, it's not the standard procedure; Ms. Bowers – want to understand the bond situation better; Jason – they understand that some Towns don't have the funding; I can re-visit with them to see if we can alter the fund;

Mr. Konis – can the interest on the bond be part of the project? Mr. Sableski – no? Mr. Konis – the State takes two months to pay – isn't that illegal? Mr. Sableski – typically the 30 days is for Town to pay? Mr. Konis – retainage? Mr. Sableski – no retainage, used to hold back 5%, they haven't in 10 years; Mr. Nettle – you've already put a price on the bridges, water flow done? If you didn't do it, how did you do the analysis; Mr. Sableski - application requires this to be done; increase structure 50% for estimated replacement cost; use the worst case scenario; some streams you can't get into them after specific dates or during construction; to answer your question it is estimated; Mr. Nettle – I'm very familiar with that area and I don't see where you have a huge release area upstream? Why such a big culvert? How do you know how big to make the culvert? I'm very familiar with the watershed area and I don't agree with the cost; you could put something in for ½ million; Fred can put another pipe in there and he has; the high water mark now-days, what happens in 75 years? Mr. Sableski – global warming crisis is a concern; how do we determine the flow; Mr. Nettle – I know how to do that. Mr. Sableski – when you're filling out the application they take a conservative number of 50% and add to it, we did an investigation, the pipe that's in there is 3 times smaller than the natural stream, undersized, 50% increase would not satisfy the hydraulic needs of the area; added 25%, this satisfies NYS/DEC ecological guidelines. Mr. Matt Allen – 4 projects or separate projects, 4 separate bonds? Mr. Sableski - It doesn't have to be done that way; Mr. Heidrich – one or two lanes? Mr. Sableski – due to the location, just one lane; we'll have an on-site detour on site as well; the Town's temporary bridge is not sufficient per DEC/DOT requirements; Mr. Heidrich – the County will take over ownership? Supervisor Bean – there's a tradeoff on that Mr. Sableski; Mr. Comstock – I spoke with Kevin Hajos today about the projects.

5. Jackie White – Town Attorney – Supervisor Bean introduced Ms. White - she's been working on a real estate litigation project for us; Ms. White – this is not a presentation, this is for the Board's purpose – we've all spoken at some time; 112 Ski Bowl Road – 2018 first year litigation; it's a long time, but not unheard of; involved in settlement negotiations; school is actively engaged as well; parameters were negotiated, attended court required settlement negotiations; provided to the Town Board a Resolution to last week, we have negotiated terms; refunds could potentially be needed; any questions? Supervisor Bean – this was a painful pill to swallow, none of us were happy about it, we have very little wiggle room; not what we wanted for negotiations, but something that we can work with; Mr. Heidrich – how much? Ms. White - \$175,000 – town, county and school, lump sum refund amount, to take care of past years; calculated the Town's share at \$40,866.02, Assessor agreed and the school's representative agreed as well; fair market value would be \$900,000. Ms. Lomax - \$900,000 for how long; Ms. White – 2024 roll, 2025, 2026 and 2027; if there was a re-val it could be revisited. Mr. Heid – if the property changes hands is that a consideration? Ms. White – not necessarily; Mr. Nettle – could you clarify? Mr. Williams – they fought, they sued, we settled. Supervisor Bean – read Resolution; Mr. Williams – it is interest free. Ms. Nettle – can you tell us what they were assessed at? Supervisor Bean - They did an independent assessment, we did an independent assessment - big difference in prices.

RESOLUTION # 156 – 24

Mr. Williams made a Motion to approve the Resolution authorizing settlement of property assessment case filed by 112 Ski Bowl Road, LLC and moved its passage with a Second Motion from Ms. Bowers. With the following Members voting in favor of the Resolution, it is carried. Ayes – 5 (Bean, Bowers, Heid, Stevens, Williams); Nays – 0.

6. Resolution for Highway Superintendent to Post Surplus Equipment – truck, hoist is rotted, 4-wheel drive does not work, too expensive to repair.

RESOLUTION # 157 – 24

Ms. Bowers made a Motion to approve posting the surplus equipment for sale and moved its passage with a Second Motion from Mr. Heid. With the following Members voting in favor of the Resolution, it is carried. Ayes – 5 (Bean, Bowers, Heid, Stevens, Williams); Nays – 0. Mr. Williams – from a Highway Committee perspective is this OK; Mr. Heid – yes.

7. Resolution for Authorization to Proceed to Order Ice Rink Kit for under the pavilion from Parks –Mr. Williams – in talking with Mr. Olesheski – current ice rink on tennis courts is not maintainable; snow, slush, etc.; have quite a bit of money left over in his budget for park improvements; some things weren't done this year; this would provide opportunity to the community; it will eliminate variables for him and his staff; what we're buying today it can be expanded on; similar to what Minerva has, just a little smaller; Mr. Olesheski – company running a discount, free shipping and \$1,500 discount if ordered before Monday; Ms. Nessle – equipment was above the Pavilion, Mr. Williams - boards were moved to the boneyard behind the dump; Mr. Olesheski – this particular kit is composite, gates, professional looking, nets; it's been difficult due to the weather; only had 26-28 days of skating last year; keeping the weather off it will expand the use of the skating rink; this money was earmarked for improvements to the park; Ms. Bowers – is it a 4-season? Mr. Olesheski – if we want to go the same route as Newcomb, they leave it set up year round with crushed stone, thinking about paving, artificial turf for soccer; Mr. Heid – protection for concrete? Mr. Olesheski – yes there is a liner; spoke with contractors and they don't believe the ice impacted the concrete; Beth Maher – with wind, would you still have the same issues? Mr. Olesheski – the 48" boards will help in with this; these are things I'm less concerned about, I'd like to get this ordered, we can do shade netting to help with snow and sun; Beth Mahar – does the pavilion have lighting now? Mr. Olesheski – yes; Ms. Wood – life span? Mr. Olesheski – if it was outside 5 years, depends on how you take care of it; there's a lot to it; hoping that under the pavilion, the composite material will last a long time; previous boards were left outside; Jamie Martin – isn't there more eastern exposure than anything else; Mr. Olesheski – east and west – arena netting, setting sun not going to be the problem, until the sun is setting it's coming in from the dump side. Ms. Bowers – if you can get it for that reduced price, it's good and free shipping; I think it's a good thing.

RESOLUTION # 158 – 24

Ms. Bowers made a Motion to approve the Authorization to Proceed with the purchase of the ice rink kit and moved its passage with a Second Motion from Mr. Heid. With the following Members voting in favor of the Resolution, it is carried. Ayes – 5 (Bean, Bowers, Heid, Stevens, Williams); Nays – 0.

8. Discussion on Tannery Pond Community Center – Mindy Preuninger – TPCC just wanted to take an opportunity to let you know where we are the first year in our lease; thank you to the Town first of all; Annual Report provided to Supervisor Bean; finances are track with budget goals; TPCC Board meets monthly; we've been really successful with grants this year; fundraising is in alignment with budget projections; we'll be seeking donations; proud of our programs this year; programming is limited by funding; Marketing is always a challenge; social media and electronic publications had worked well too; we're hoping to share our calendar with the Town when their new website is up and running; first and foremost about the community; see calendar attached to the minutes.

9. Supervisor's Report

RESOLUTION # 159 – 24

Ms. Bowers made a Motion to approve the Supervisor's Report and moved its passage with a Second Motion from Mr. Heid. With the following Members voting in favor of the Resolution, it is carried. Ayes – 5 (Bean, Bowers, Heid, Stevens, Williams); Nays – 0.

10. Committee Reports

Paul Heid

- Solid Waste – met last week, moved forward with ideas of what we're doing with the transfer station, possible pricing, Mr. Olesheski – scales, Monday 9/9/24 for concrete; Mr. Heid – we can ultimately be fair with pricing; possibly charging again for household garbage; Mr. Olesheski – Hoosick Tire – they've been here once, moved 1/3 to 1/2 of our tires; they'll be coming back again in the near future; long time coming to find a reliable vendor to take them, not cheap by any stretch of the imagination, much cheaper than working with the County; needed to get rid of our tires.
- Emergency Planning Committee – providing fire and EMS services providing services and contact with existing services; these are the beginning stages but we're moving forward.
- Highway Committee – our Chair has resigned.

Anna Bowers

- Occ Tax Workshop - 9/10 – 6:00 – 7:30 in the Library; work with application;
- Comprehensive Plan – public workshop 6/12 from 6-8, public land use; this is your opportunity to be involved.

Supervisor Bean

- Mr. Heid and I will be meeting re: the Highway Contract.
- Health Insurance – it's a big concern and it's expensive; working with a couple different companies to get some idea of what we're looking at.

Jim Williams

- Parks – entrance is lit and the waterfall is working.
- Sodom Playground – last few pieces put in; thanks to Mr. Olesheski for getting it done;
- Vision 2040 – slowly taking steps to move that vision forward; defining parcel B and C with the County;
- UHTA – put up trail counters in three spots; it's hard to get a complete number, but between 1,723 counts (July and September); still trying to come up with a formula to get better numbers; trails are being used – hikers, dog walkers, bikers, etc.; feedback from bike trail – people state it's a destination and a great trail; I want to send thanks out to UHTA and Ms. Nettle and Friends of the Park have worked on this;
- Sewer – we're waiting on USDA, their lawyers are just looking at documents; we're waiting on them to say go to bid; all is ready to go to bid; no clue why; we're just waiting.
- Supervisor Bean and I went up and had a great meeting with Ashley, Betty Little, Joe – at ORDA; concerns with what's important to the Town; all understand what each other's goals are and capitalize on the investment of the State in the Ski Bowl Park; very productive meetings.

Arnold Stevens

- Water Mitigation Project – tomorrow is the final walkaround (hopefully).
- Water Improvement – waiting on new tank to be put into place.
- Ms. Beth Maher –Water Mitigation - part of the project was to fix the side that is washed out? Mr. Konis – we’ll take a look at that tomorrow.
- Ms. Nettle – if my memory serves me, they’ll leave the trench and water put under the road, increasing the size of the culvert; no further work will be done; Supervisor Bean – Beth – 3-phase power line that runs under the culvert, we’ve tried working with National Grid to move it, they answer has always been no.

11. Warrants

RESOLUTION #160 – 24

Ms. Bowers made a Motion to approve the Warrants and moved its passage with a Second Motion from Mr. Stevens. With the following Members voting in favor of the Resolution, it is carried. Ayes – 5 (Bean, Bowers, Heid, Stevens, Williams); Nays – 0.

NOTE: Supervisor Bean – it’s election time – please just leave the signs alone, they’re just signs.

12. Privilege of the Floor –

- Ms. Konis – thank you for acknowledging me as my own person; the comments made at the last meeting re: me – this needs to be laid to rest; Mr. Heidrich - BAR Oaths of Office are not valid; the Town Board needs to invalidate anything done during that time frame.
- Ms. Preuninger – it’s dry out, please be careful, we had a fire in our field from someone that threw out a cigarette and it could have been worse.
- Ms. Nettle – thank Mr. Williams for the mention of UHTA. We as a community owe them a huge thank you; State trails are worked on as well with a lot of other folks; a group of 65 people help keep these trails open; thank you to Mindy and all of the folks at TPCC; it is a huge benefit to our kids; it’s all done by volunteers; may have some closure on trail connector project.
- Ms. Wood – update on events coming up, documentaries, GEM theater, Depot Museum.
- Mr. Jamie Martin – thank you for naming the pavilion, it was cool. 8/23/24 – call re; power problem – I just needed you all to know that there was never a problem, it snowballed, and I don’t know why; Tammy Bukovinsky works at Gore, Bone Bayse was a performer – ORDA has been very supportive of the NCHF, more so than the Town Board has been. I am not employed by ORDA, not on the Board – it kind of upset me that ORDA was put in a bad light over this event.

13. Motion to Adjourn

RESOLUTION #161 – 24

Mr. Heid made a Motion to Adjourn the Town Board Meeting at 8:53PM and moved its passage with e Second Motion by Mr. Williams. With the following Members voting in favor of the Resolution, it is carried. Ayes – 5 (Bean, Bowers, Heid, Stevens, Williams); Nays – 0.

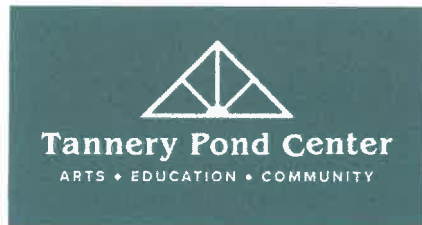
Prepared by:

Jean M. Comstock

Jean M. Comstock
Town Clerk

**THE NEXT REGULAR TOWN BOARD MEETING IS SCHEDULE FOR
SEPTEMBER 17, 2024 AT 7:00PM AT TANNERY POND AND LIVE STREAM**





228 Main Street North Creek NY 12853 518.251.2505

Tannerypond.org

The TPC schedule for the remainder of 2024 represents new collaborations and partnerships built and reflects the broad interests & talents of the region

SEPTEMBER

- 12th:** Concert; Cassie & Maggie, celtic / folk duo out of Canada
- 14th:** Film "My Native Air" with introduction by the film's producer
Johnsburg Historical Society & TPC
- 15th:** GEM Radio "Leaves Torn Asunder" original play based on book by author Glenn Pearsall
- 21st:** 2nd annual Community Day / Outdoor Show - vendors, outdoor bands, food & beer trucks
- 22nd:** Tom Buckshot Butler book signing "Backward Glances"
- 28th:** ALCA (Adirondack Lakes Center for the Arts) "The Cure"
- 29th:** "The Black Woods" Author Book Discussion; The Johnsburg & Minerva Historical Societies

OCTOBER

- 4th:** Seagle Festival "The Musical World of Disney"
- 10th:** Summit on Invasive Species in the Adirondacks
- 11th:** Adirondack Wild Annual Membership Meeting & Awards
- 25th & 26th:** OTTG Fall Theater Production "Belles, The Reunion"
- 30th:** Teen Event - a halloween movie & costume evening

NOVEMBER

- 1st:** "Voices of the Hudson" documentary film of Johnsburg Youth on the Hudson River
- 22nd - 24th:** Juried Art Show
- Nov 30th & Dec 1st:** Gem Radio Christmas Production

DECEMBER

- 7th & 8th:** North Country Singers Christmas Concert
- 13th & 14th:** Warren Miller Ski Movie - celebrates the 75th Warren Miller film
- 15th:** The McKrell's will present their very popular Christmas show
- 28th:** North Country Jazz Project will end our year

WINTER 2025

We have a fantastic line-up of artists for our Winter Coffeehouse Series on Sunday afternoons from 3-5pm in January, February and March.