

**Town of Johnsburg
Regular Meeting of the Town Board
Zoom Meeting
May 18, 2021 7:00 PM**

<https://us02web.zoom.us/j/2172603617>

Meeting ID: 217 260 3617

888 788 0099 US Toll-free

877 853 5247 US Toll-free

PRESENT: Andrea Hogan – Supervisor
Eugene Arsenault – Councilman
Arnold Stevens – Councilman
Laurie Arnheiter – Councilwoman
Justin Gonyo – Councilman
Kate Lorah - Town Clerk

Supervisor Hogan called the Meeting to order at 7:00 and the pledge to the flag was led by Pat Connor.

Approval of Minutes April 20, 2021 meeting

RESOLUTION #84-21

Mr. Gonyo presented the following resolution and moved its passage with a second from Mr. Stevens to approve the minutes from the April 20, 2021 meeting. With 5 members voting in favor the resolution is declared carried. Ayes – 5 (Hogan, Arsenault, Stevens, Arnheiter, Gonyo) Nays – 0

Correspondence:

- Letter regarding road abandonment
- Letters of interest for summer rec program
- ORDA/Town of Johnsburg transition of occupation letter
- Letter of resignation from highway department
- Letter of interest in Planning Board

New Business:

- Deferred Comp presentation

Brianna Milanese from New York State Deferred Comp Plan explained the plan as a supplemental retirement plan which is administered by Nationwide. There is no cost to the Town; employees taking part pay a \$20 administration fee per year. Any employee may take part in this investment plan, which has open enrollment. Ms. Hogan asked the Board if this is something the Board wants to offer employees.

RESOLUTION #85-21

Mr. Gonyo presented the following resolution and moved its passage with a second from Mr. Arsenault to offer employees of the Town participation in the New York State Deferred Comp Plan. With 5 members voting in favor the resolution is declared carried. Ayes – 5 (Hogan, Arsenault, Stevens, Arnheiter, Gonyo) Nays – 0

- **Crosby Rd. abandonment request**

Correspondence from the Deeley family:

May 3, 2021

Mr. and Mrs. Shawn
Deeley82 Crosby Road
Johnsburg, NY 12843

Mrs. Betsy
Deeley60
Crosby Road
Johnsburg, NY
12843

Supervisor Hogan and Johnsbury Town Board
Johnsbury Town Hall
219 Main Street
North Creek, NY 12853

Re: Section of Crosby Rd

To: Supervisor Hogan and Members of the Johnsbury Town Board,

We are requesting that the portion of Crosby Rd belonging to the properties of 60 and 82 Crosby Rd be considered and designated "abandoned" by the Town Highway Department. This portion of Crosby Rd begins at the telephone pole situated approximately 11,300 ft from where the road begins at Garnet Lake Rd, and consists of approximately 6,700 ft leading to the driveways of the residences located at 60 and 82 Crosby Rd. This stretch of road is used solely for access by the residents of aforesaid properties.

Thank you for your time and consideration in this matter.

Sincerely,



Shawn P. Deeley



Rebecca A. Deeley

Betsy L. Deeley



RESOLUTION #86-21

Mr. Stevens presented the following resolution and moved its passage with a second from Mr. Gonyo to abandon as a right-of-way as requested by the property owners, 670 ft of road measured beginning 1130 ft from Garnet Lake Rd. which has not been traveled or used as a highway for over 6 years as confirmed by the Highway Superintendent (therefore it is appropriate for abandonment). With 5 members voting in favor the resolution is declared carried. Ayes – 5 (Hogan, Arsenault, Stevens, Arnheiter, Gonyo) Nays – 0

- **Garnet Lake Fire Dept. 501(c)3 renewal**

Garnet Lake Fire Department has requested the Board approve their Certificate of Amendment of the Certificate of Incorporation.

RESOLUTION #87-21

Ms. Arnheiter presented the following resolution and moved its passage with a second from Mr. Arsenault to approve Garnet Lake Fire Department’s request as follows:

**JOHNSBURG TOWN BOARD RESOLUTION
APPROVING THE GARNET LAKE VOLUNTEER FIRE CO., INC.
CERTIFICATE OF AMENDMENT OF THE CERTIFICATE OF INCORPORATION**

RESOLUTION NO.: 87-21

INTRODUCED BY: Laurie Arnheiter
WHO MOVED ITS ADOPTION

SECONDED BY: Gene Arsenault

WHEREAS, Garnet Lake Volunteer Fire Co., Inc. is in the process of revising their Certificate of Incorporation as part of their maintaining or renewing their IRS 501(c)(3) Not-For-Profit status; and

WHEREAS, Garnet Lake Volunteer Fire Co., Inc. has requested approval by the Johnsbury Town Board of the proposed Certificate of Amendment as required by New York State law;

NOW, THEREFORE, BE IT:

RESOLVED, that the Johnsbury Town Board hereby approves the Certificate of Amendment of the Certificate of Incorporation provided by Garnet Lake Volunteer Fire Co., Inc.; and

BE IT FURTHER

RESOLVED, that the Town Supervisor, Town Board and Town Clerk are authorized and directed to any and all actions necessary to effect this Resolution, including each Town Board member signing the form provided signifying the Town's consent.

Duly adopted this 18th day of May, 2021 by the following vote:

AYES : 5
NOES : 0
ABSENT : 0

With 5 members voting in favor the resolution is declared carried. Ayes – 5 (Hogan, Arsenault, Stevens, Arnheiter, Gonyo) Nays – 0

- Discussion of moving highway garage and sand mine reclamation

Kelly Nettle gave a presentation outlining the potential for increased tourism in the Town centering around Ski Bowl Park. She noted that the park is a draw 1) as a park itself, 2) as a ski facility, 3) for the trail systems connecting to other areas of the Town, and 4) as a Summer venue with attractions promised by ORDA.

To maximize the park's possibilities, Kelly would like to see the Town move forward with plans to move the highway garage and sand operations, and the transfer station. She noted that these changes will take time, and suggests they should take place in order to be prepared for increased activity with ORDA's improvements. She is asking the Board to create a plan for moving the above-named facilities.

- **Water district repairs**

A water valve at Marion and Main is broken but Charlie Rawson suggests waiting until school is out to repair because the repair area may interfere with the buses. Three quotes are required, but Charlie estimates the cost will be about \$7500.

RESOLUTION #88-21

Mr. Arsenault presented the following resolution and moved its passage with a second from Mr. Gonyo to approve, contingent upon receiving three quotes, engaging a contractor for water repairs at Marion and Main, not to exceed \$7500. With 5 members voting in favor the resolution is declared carried. Ayes – 5 (Hogan, Arsenault, Stevens, Arnheiter, Gonyo) Nays – 0

- **AUD review and acceptance**

RESOLUTION #89-21

Mr. Gonyo presented the following resolution and moved its passage with a second from Mr. Stevens to approve and accept the Annual Update Document. With 5 members voting in favor the resolution is declared carried. Ayes – 5 (Hogan, Arsenault, Stevens, Arnheiter, Gonyo) Nays – 0

Ms. Hogan noted that in next year's budget she will try to plan funds to request an audit.

- **Amend Resolution #3-21 to change August meeting to August 24**

RESOLUTION #90-21

Mr. Stevens presented the following resolution and moved its passage with a second from Mr. Arsenault to approve moving the August Board meeting from August 17 to August 24, to accommodate sewer grant writing timing. With 5 members voting in favor the resolution is declared carried. Ayes – 5 (Hogan, Arsenault, Stevens, Arnheiter, Gonyo) Nays – 0

- **Approval to place ad for Highway Department opening**

RESOLUTION #91-21

Mr. Gonyo presented the following resolution and moved its passage with a second from Ms. Arnheiter to approve placing an ad for the opening at the Highway Department for a CDL driver/ maintenance worker. With 5 members voting in favor the resolution is declared carried. Ayes – 5 (Hogan, Arsenault, Stevens, Arnheiter, Gonyo) Nays – 0

- **Ratify waiver of 30-day advance notice of liquor license**

RESOLUTION #92-21

Ms. Arnheiter presented the following resolution and moved its passage with a second from Mr. Gonyo to ratify waiver of 30-day advance notice of a liquor license. With 5 members voting in favor the resolution is declared carried. Ayes – 5 (Hogan, Arsenault, Stevens, Arnheiter, Gonyo) Nays – 0

- **Resolution approving retirement system standard workday report**

RESOLUTION #93-21

Mr. Arsenault presented the following resolution and moved its passage with a second from Mr. Gonyo to approve the retirement system standard workday report. With 5 members voting in favor the resolution is declared carried. Ayes – 5

(Hogan, Arsenault, Stevens, Arnheiter, Gonyo) Nays – 0

- **Appointment to Planning Board**

RESOLUTION #94-21

Ms. Arnheiter presented the following resolution and moved its passage with a second from Mr. Stevens to appoint Gay Gordon-Byrne to the Planning Board. With 5 members voting in favor the resolution is declared carried. Ayes – 5
(Hogan, Arsenault, Stevens, Arnheiter, Gonyo) Nays – 0

- Occ tax discussion

Ms. Hogan was contacted by the Occ Tax Committee regarding the \$5500 they had withheld in hopes of making awards to some more events if COVID circumstances opened up. They are asking the Board to extend the application deadline to June 10th.

RESOLUTION #95-21

Ms. Arnheiter presented the following resolution and moved its passage with a second from Mr. Stevens to extend the application deadline for Occ tax to June 10th. With 5 members voting in favor the resolution is declared carried. Ayes – 5
(Hogan, Arsenault, Stevens, Arnheiter, Gonyo) Nays – 0

Old Business:

- **Summer rec staff**

RESOLUTION #96-21

Mr. Arsenault presented the following resolution and moved its passage with a second from Ms. Arnheiter to accept the proposals from Ann Dingman for Summer Rec staff. With 5 members voting in favor the resolution is declared carried. Ayes – 5 (Hogan, Arsenault, Stevens, Arnheiter, Gonyo) Nays – 0

- **Riverfront Park - Darrah proposal, electrical updates**

Warren County is willing to give the Town the parcels they own at Riverfront Park, but the Town has to pay to have the portions subdivided.

RESOLUTION #97-21

Mr. Gonyo presented the following resolution and moved its passage with a second from Mr. Arsenault to accept the proposal from Darrah Land Surveying for property located off Railroad Place in the amount of \$3440. With 5 members voting in favor the resolution is declared carried. Ayes – 5 (Hogan, Arsenault, Stevens, Arnheiter, Gonyo) Nays – 0

Greg Tomb, the glass blower, has requested some improvements to the electrical system in the Kellogg building. He has gotten a quote for \$4000 and is willing to share the cost with the Town. Two more quotes are needed, but because of time constraints, preapproval would be beneficial.

RESOLUTION #98-21

Ms. Arnheiter presented the following resolution and moved its passage with a second from Mr. Stevens to approve electrical system upgrades for the Kellogg building not to exceed \$4000 (half of which will be reimbursed by the glass blower). With 5 members voting in favor the resolution is declared carried. Ayes – 5 (Hogan, Arsenault, Stevens, Arnheiter, Gonyo) Nays – 0

- Streetscape

Mr. Comstock is moving forward on purchasing cement forms and allocating workers for the sidewalks. John McAlonen is working on connecting the light posts to the electrical source at the park.

- Sewer

Ms. Hogan spoke about creating a timeline for creating the sewer district. The Map, Plan and Report should be approved at the June Board meeting. Also at that meeting, if the Board decides to move forward, a date should be set for a Public Hearing at the July meeting. A Bond Resolution would also be discussed. If the Public Hearing is held, the Town is subject to a 30-day period during which someone could call a permissive referendum. If that isn't called, then the August meeting would be the time for the Board to make the order for the formation of the district.

- **Tannery Pond Center**

In order for the Board to get back to in-person meetings, the building would need wireless throughout. The quote for this is \$7500. Two more quotes are necessary. Ms. Hogan is asking the Board to commit to the wireless upgrade not to exceed \$7500. She wrote a grant which will result in \$5000 toward this project, so the real ask is \$2500.

RESOLUTION #99-21

Mr. Arsenault presented the following resolution and moved its passage with a second from Ms. Arnheiter to approve installation of wireless throughout Tannery Pond at a cost not to exceed \$7500, once three quotes are received. With 5 members voting in favor the resolution is declared carried. Ayes – 5 (Hogan, Arsenault, Stevens, Arnheiter, Gonyo) Nays – 0

- **Marketing RFP / marketing occupancy tax ask update**

RESOLUTION #100-21

Ms. Arnheiter presented the following resolution and moved its passage with a second from Mr. Gonyo to approve the recommendation of the Marketing

Committee to hire Dick Carlson as the Town's Tourism Marketing Digital Specialist. With 5 members voting in favor the resolution is declared carried. Ayes – 5 (Hogan, Arsenault, Stevens, Arnheiter, Gonyo) Nays – 0

- **Employee handbook amendment**

RESOLUTION #101-21

Mr. Arsenault presented the following resolution and moved its passage with a second from Mr. Stevens to approve the amendment to the Employee Handbook to reflect that anyone hired before May 18, 2021 will be grandfathered in for the younger retirement age. With 5 members voting in favor the resolution is declared carried. Ayes – 5 (Hogan, Arsenault, Stevens, Arnheiter, Gonyo) Nays – 0

- **Johnsburg Garage update**

The next step in removal of the Johnsburg Garage is an asbestos analysis, which is being addressed at Warren County.

- **Door quotes**

Two quotes have been received for replacement of doors throughout Town buildings. Ms. Arnheiter said she will pursue a third quote. Item is tabled.

- **EDA grant – Ski Bowl drainage mitigation**

The Town is applying to the US Economic Development Administration to complete a disaster resiliency project to mitigate drainage problems at Ski Bowl Park. The letter that must be submitted commits matching funds with the language following:

The Town of Johnsburg is committed to providing matching funds through the Town General Fund, in the amount of \$64,000, for the project through its period of performance. These funds are committed, available, and unencumbered. Additionally, the matching funds for this project are not derived from another federal source.

Ms. Hogan is asking the Board how they want to proceed.

RESOLUTION #102-21

Mr. Arsenault presented the following resolution and moved its passage with a second from Mr. Gonyo to commit \$64,000 in matching funds for an EDA grant for Ski Bowl Park for drainage mitigation. With 5 members voting in favor the resolution is declared carried. Ayes – 5 (Hogan, Arsenault, Stevens, Arnheiter, Gonyo) Nays – 0

RESOLUTION #103-21

Mr. Gonyo presented the following resolution and moved its passage with a second from Mr. Stevens to publicly notice the Town applying for an EDA grant for Ski Bowl Park for drainage mitigation. With 5 members voting in favor the resolution is declared carried. Ayes – 5 (Hogan, Arsenault, Stevens, Arnheiter, Gonyo) Nays – 0

Committee Reports:

- Buildings

Mr. Arsenault talked about attending a Tannery Pond meeting and how productive it was in discussing vision and plans for moving forward. They spoke about funding, relationship with the Town, future plans and relationship building.

- Parks – **Resolution to thank ORDA for partnership**

Ms. Arnheiter met with Bone Bayse regarding the transition of occupation from ORDA Winter operations to Town Summer operations. The meeting was very comprehensive and collaborative as evident in the letter submitted by Ms. Arnheiter which follows.

Tuesday, May 4th, 2021 3:30pm

Re: Town of Johnsburg/Orda

The transition of occupation from Orda Winter Operation to Town of Johnsburg

Summer Operation General Manager Bone Bayse

TOJ Councilperson Laurie Arnheiter, Parks Committee

All safety equipment is up to code. Fire Extinguishers, Exit Lights, Defibrillator

Window cranks are still missing from windows to allow for air circulation. Will Youth Program want air circulation for inclement days to address Covid requirements?

All exterior doors have been worked on to ensure a complete closure

The furnace/air filtration system has been updated with a Merve 13 filter

Touchless soap dispensers and towel dispensers have been installed in both bathrooms and in the kitchen

Entry Door has a broken window with protective tape over it. Orda will have a replacement window installed. At that time the sand in the grates between the outer and inner doors will be removed.

Men's and Women's bathrooms have been recently patched and painted. The overall condition of the shared property is one of cleanliness and proper surface maintenance.

Orda will be removing their ticketing equipment shortly to allow the youth program to utilize the office space. Additionally, rustic furniture that was present for winter operations will be replaced with original cafeteria tables.

I am still concerned that there are so many keys in circulation that a discussion should take place to address rekeying the doors and putting in place a log to ensure that the TOJ and Orda know who has keys.

A collaborative discussion ensued regarding the physical condition of the two buildings. There is a section in the roof where the asbestos tiles were pulled out of the roof. Orda sent a repair tech to reinstall tiles last summer however Bone said that he would have that section re-examined to ensure that it was solid. (To see it look to the right-hand side of the front of the roof facing the ball diamond).

Below is the outcome of a lengthy and very positive discussion with Bone:

Orda will send contractors to the Minder Lodge before Youth Program begins to do the following work.

- Paint ceilings and walls of the "interior" of the lodge, patching cracks and holes before painting.

LA was enthusiastic about the possibility of a color change from pink to mountain sage. TBD

- Paint concrete floors in both lodge bathrooms. Bathrooms off the pavilion were locked so needs for painting and concrete floor painting to be determined once reviewed.
- Stain exterior of both buildings -- using a darker brown so sunlight won't fade as much a previous stain color did.
- Stain massive underside of pavilion roof which is in very bad condition
- Examine lighting prior to taping to ensure proper function
- Stain support posts
- Stain Dark Green Trim on Pavilion Building
- Repaint the counter in Lodge which is presently high gloss Kelly green to something less harsh.
- Examine Pavilion roof for assessment of roofing structure

For over three years now I have been reporting that the repair of the interior walls and the exterior of both buildings needed attention. With the parks department traditionally over-scheduled and understaffed and unable to attend to this project, Orda is offering to step up to address the need. My conclusion is that we have a good partner! I hope my fellow board members and our Supervisor approve of this offer at the next Town Board Meeting.

Respectfully Submitted

Laurie Arnheiter

RESOLUTION #104-21

Mr. Gonyo presented the following resolution and moved its passage with a second from Mr. Arsenault to approve the plan for transition of occupation from ORDA Winter operations to Town Summer operations as detailed in Ms. Arnheiter's

letter. With 5 members voting in favor the resolution is declared carried. Ayes – 5 (Hogan, Arsenault, Stevens, Arnheiter, Gonyo) Nays – 0

RESOLUTION #105-21

Ms. Arnheiter presented the following resolution and moved its passage with a second from Mr. Arsenault to approve sending a letter of thanks to ORDA for their support in the transition of occupation from ORDA Winter operations to Town Summer operations. With 5 members voting in favor the resolution is declared carried. Ayes – 5 (Hogan, Arsenault, Stevens, Arnheiter, Gonyo) Nays – 0

ZEO, Animal Control, Assessor and Historian Reports

In Board packets.

Supervisor’s Monthly Report

Ms. Hogan mentioned changes in COVID regulations and explained that for now, everyone will still be asked to wear a mask in Town buildings.

RESOLUTION #106-21

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

Approval of Warrants

- General Fund** (Total \$43,096.70)
- Highway Fund** (Total \$39,485.43)
- Library Fund** (Total \$1450.04)
- Fire Protection District** (Total \$57,500.00)
- EMS** (Total \$146,940.00)
- Water District** (\$13,264.25)

Trust and Agency (\$1397.83)
Total all warrants \$303,134.25

RESOLUTION #107-21

Mr. Arsenault presented the following resolution and moved its passage with a second from Ms. Arnheiter to approve the warrants. With 5 members voting in favor the resolution is declared carried. Ayes – 5 (Hogan, Arsenault, Stevens, Arnheiter, Gonyo)

Privilege of the Floor

Deana Wood asked about who is eligible to apply for Occ tax. Ms. Hogan said it was not specified. Ms. Wood also spoke about history weekend, which is scheduled for the same weekend as it was in 2020 (September 10, 11 and 12). Kelly Nessel inquired about the stimulus funds group meeting again. Mr. Gonyo said he will send an email regarding the next meeting.

Motion to adjourn

RESOLUTION #108-21

Mr. Gonyo presented the following resolution and moved its passage with a second from Ms. Arnheiter to adjourn. With 5 members voting in favor the resolution is declared carried. Ayes – 5 (Hogan, Arsenault, Stevens, Arnheiter, Gonyo)

Next meeting Tuesday, June 15, 2021 7 pm
Online Zoom Meeting

Prepared by:

Kathleen C. Lorah