

TOWN OF JOHNSBURG
TOWN BOARD MEETING
June 20, 2023 – 7:00PM

In Attendance: Mark Smith – Supervisor Justin Gonyo – Councilman
 Arnold Stevens – Councilman Peter Hoskins – Councilman
 Gene Arsenault – Councilman (via Zoom)
 Jean Comstock – Town Clerk

1. Pledge of Allegiance – led by Jennifer Zimmerman
2. Regular Meeting Called to Order – 7:05PM
3. Approval of May 16, 2023 Meeting Minutes

RESOLUTION # 23-112

Mr. Gonyo made a Motion to accept and approve the Meeting Minutes from the May 16, 2023 Town Board Meeting and moved its passage with a Second Motion from Mr. Hoskins. With the following Board Members present voting in favor of the Resolution, it is carried. Ayes – 5 (Smith, Gonyo, Hoskins, Stevens, Arsenault); Nays – 0.

4. Barton Mines Presentation to the Town Board – Chuck Thomas – see slide presentation attached and on the posted Recording. Mr. Gonyo asked of the use of the residual materials? Mr. Rapple noted the feldspar and garnet are used for coatings; Mr. Gonyo asked if it was the GTX? Mr. Rapple indicated that it was not. Supervisor Smith asked if there was a schedule for when the traffic would be at its highest; Mr. Thomas indicated that there was no schedule at this time; Mr. Rapple added that they are reducing the hours of hauling. Mr. Hoskins asked where they were with the APA permit? Mr. Thomas noted that they are still responding to questions from the APA; Mr. Hoskins asked what kind of questions the APA is asking? Supervisor Smith asked about the reclamation plant. Mr. Thomas noted that as they build it up there will be a visual buffer. Mr. Gonyo asked with the expansion how many years of mining? Mr. Thomas noted that they do 450,000 tons/year and they could go another 75 years with the permit; without the permit 30 years maybe as they would have no storage capacity. Mr. Hoskins asked what would happen after the 75 years? Mr. Thomas indicated that there would be reclamation, vegetation, trees planted; Mr. Rapple added that all buildings would be removed. Mr. Hoskins asked when the permit might be completed? Mr. Thomas noted that sometime later this year. Supervisor Smith thanked all involved for the presentation it was very helpful. We'll open up a privilege of the floor specific to this presentation. For those of you who aren't normally at a Town Board Meeting, Privilege of the Floor is not a Q&A session, please try to limit your comments to 3 minutes as it is a long meeting; if you need further clarification please feel free to reach out to Joann Morehouse for my schedule to set up a meeting.
5. Privilege of the Floor
 - Mr. Alan Belenzs – Please see attached letter from Mr. Belenzs for his comments.
 - Reading a letter from Larry Blackhurst as he is travelling this week (please see attached letter for Mr. Blackhurst's comments).
 - Year-round destination, we have skiers from around the world, wedding destination, etc.; frequent return guests; throughout the year we provide lodging for over 6,000 guests who not only help Garnet Hill Lodge but the local businesses; they come to enjoy the outdoor activities, Siamese Pond, 13th Lake area; in peak months we employ approximately 35 people at the Lodge; during the summer the line of sight to Ruby is blocked by trees, but in the winter you can see it; we fully

support the Ruby Mountain Mine, it has a 40 year history; the Town should not forget that Barton Mines is not the only local employer in the area; the area is dependent on the tourists that visit; we need to remember that these visitors have alternative areas they can visit; we'd like the Town to reserve any decisions until after the application is completed and approved by the regulatory bodies; we'd like to control the impact that the mine has on the local environment; particularly with regards to the visual side of it and dust problems; I think if Barton Mines wants to be a good neighbor there should be a willingness for reasonable mitigation (please refer to the Recording on line for further information).

- Gaye Byrne – we live in Town full time; we are not of the same opinion as some of the others; the Garnet Hill Homeowners Association did not survey all members before engaging in this fight; there are a lot of people that don't feel the problems are not as extraordinary as some are making it; we hear delivery trucks, contractors, well drillers, lawn mowers, there are weddings at the lodge but we don't hear the mines; once a month we hear a boom from the mines and that's it; we live on dirt roads, with tailings on them; it's indistinguishable from the dust on the dirt roads we all live on; there are people that are upset with the conditions that are not necessarily attributed to the mines; values of real estate, we're not immune to this; that's a lot of ugly, dilapidated properties, we see poverty; loggers messes; we have to have that operation there; single, largest employment in Town; most business are seasonal; we need the full time jobs from Barton Mines; all are trying to make this as practical as possible; the Town can't survive without Barton Mines and all that they employ; I want you to know you have our support. Thank you.
- Bruce Ashline – Barton Mines has been there for 150+ years, not 40; I worked there for 15 years; always went above and beyond to do what is required for environmental concerns; testing was done; safety was important; permit may not be complete in the APA's eyes; Barton – move the tailings through the empty pit, try to sell them and reduce the site; in the end it will be as green as the rest of the land; no reason to wait to support them; Essex and Hamilton County have already supported Barton Mines and they have a much smaller stake in this than the Town of Johnsborg does.
- Janet Konis – I guess they've just opened my eyes; I'm very concerned now, Gore Mountain building new trail and ruining what I can look at, snow guns put snow on my sidewalk, lights; the Mountain is ruining my life; Barton Mines, Gore Mountain – it who we are, these are our businesses, wake up; this is our Town; stand up for what is right.
- Patrick – I'm a resident of North River, Garnet Hill area, have been for 15 years; the mine was barely noticeable until recent years; the last 4 years it's been dustier, louder, etc; the APA, DEC and the Town need to take all of this into consideration before the Board moves forward; solicit input from businesses and homes that will be affected by the expansion.
- Tom & Bonnie Ludlow – see attached letter for their comments.
- Peter Mattison – property owner in North River since 1983; voter in Warren County; I am not an enemy of Barton Mines, but there are too many unanswered questions for the Town to send a letter of support; no support from the Town until these questions are answered; the unanswered questions are listed in the incomplete permit application no plan for the size and safety of the tailings pile; no plan for the visual impact of the tailings pile and the machinery, the late night light pollution; incomplete water usage, ambient noise – all are valuable things to the Town; all should be taken into account before any approval is done (please reference the posted Recording for more specific comments).
- Amy Sabattis – thank you to Barton Mines; my Dad worked for Barton Mines, it provided a roof over our head, food on the table, clothes on our backs and I'm sorry you're going through all of this; my 88 year old mother still benefits from Barton Mines; we're all trying to live her and provide for our families; seasonal jobs don't provide for good paying jobs with benefits and retirement; we all want to retire here; I wish the best for all of us; there's a difference between the "retirement community" here and those of us that have lived here and want to stay here; it's beautiful that's why we live here but you can do it on "tourist jobs".

- Dick Klinski – live in Garnet Hill; have been here full time for 20 years; from 1986-2023, a mile away from the mine, no increase in noise, tailing pile has increased, but that can be alleviated; the mine should be here and we should be concerned; I love living in the Adirondacks, at Garnet Hill; I love hiking, hunting, fishing; I've camped at Siamese Ponds area; I'm an environmentalist and conservationist; over the last 5 years I have not noticed increased noise, when washing my home and my outdoor; I'm an embarrassed and angry member of Garnet Hill Association; Garnet Hill should not be a political environmental entity but it seems to be going that way; read Glenn Pearsall's book "Echoes in the Mountains, read the preface; thank you all for your remarks; Garnet Hill Association they are out of line, the amount of money they're spending, not all are backing their Board.
 - Richard Farrell I have lived at Garnet Hill part-time for 30 years and in Saratoga; people are expressing their views and we don't all have to agree; in my experience, over the last 5 years, there has been some change in terms of dust; there is the pollen and then dust particulates from Barton Mines; I have to use a pressure washer to clean my deck, my car, etc. several times a year; as a physician I'm concerned about the fine dust; the fires from Canada was newsworthy; it is a concern to me; we want to be neighbors and find solutions; the hum is intermittently constant, friends that come up ask me what it is; not all experience it, but it's there; hopefully we can mitigate this; we're not trying to close it down; problems need solutions; visibility is a concern; I can see Barton Mines from my home, the red and yellow lights, back up noise from trucks; we need a change moving forward.
 - Jim Jetson – I live off Peaceful Valley Road, I have dust everywhere; inside my house, yellow pollen; welcome to the Adirondacks; I paved my driveway, the dust is from my neighbors and they also leave their lights on at night, when they leave to go back home, they leave their lights on constantly; Barton Mines has been here longer than the Adirondacks have existed; if it didn't exist it would all be wilderness and you wouldn't have 85 homes up there; I hear there is a lot of increased dust in the last five years – how many new homes, how many people have moved in to that area? I'm guessing that number has increased, more people on the roads and more dust from the dirt roads; I haven't heard them say they want to put rocks in your yard; they want to stay in business and have a profitable business; people continue to get the benefits from working at Barton Mines, they employ local people; sometimes you have to put up with your neighbors; my neighbors are short-term rentals; I had to endure bachelor party; I could complain and I built my house next to what I knew were second homes; they have a right to have an income from their second homes; sometimes being a good neighbor is keeping quiet.
 - Bruce Ashline – I live a good 15 miles from Barton Mines and I had to pressure wash my house too, I don't think it was from them. Low income housing at Meet the Candidates, the last three locals that either moved into the area or built homes are employed at Barton Mines; they are one of the very few that pay a living wage; you can work, buy a vehicle, have a family; I drove shuttle bus at Gore Mountain; traffic is backed up to Wevertown, are we going to stop the skiers? It is a big inconvenience when you're trying to turn from Peaceful Valley Road; are we going to shut that down, shut down the snowmaking machines, the lights? Everyone has a right to make a living and Barton Mines has done this for over 150 years.
6. Supervisor Smith – we need to close Privilege of the Floor. There's a lot of things to consider with this, most importantly is economy; I grew up in a small town and a large business was run out, the Town is just tumbleweeds now; I've met the Barton Mines people, I think they're doing a good job reaching out to people and mitigating this; Barton Mines has trickledown economics; I don't know what the Town would do without \$500,000 in taxes, the jobs that we would lose; I think that's something that needs to be put in the balance here; as an ex-serviceman I actually have some experience in what they do – their product was used to strip down the aircraft carriers before they were painted; the optics in the Hubble Telescope use Barton Mines products; it's the best in the world; I will again point out that without Barton Mines there would be no North Creek, no Gore, no railroad; I do understand the good neighbor policy, I do encourage everyone to keep engaging Barton Mines with your concerns; I am in support of

this Resolution; Mr. Stevens – does the general audience know what this Resolution reads? Supervisor Smith – read the Resolution (copy attached); Mr. Hoskins – I am in favor of this with the understanding of the last sentence in the Resolution; Mr. Gonyo – assuming you get your permit, I hope you're here forever; Mr. Arsenault – I think we owe Barton Mines a vote of appreciation of the way they've reached out to the community and asked for input; it demonstrates their commitment to the community; we owe them our support; Supervisor Smith – they will continue to reach out to the community, it's not the end of the discussion. Supervisor Smith - Thank you Mr. Stevens for pointing that out; subject to APA and DEC; as a community we believe in Barton Mines. Mr. Hoskins – I'm voting in favor, with the understanding of the last sentence in the Resolution; the concerns are valid; it's the APA's job to figure it out, not my job.

RESOLUTION # 23 – 113

Mr. Stevens made a Motion to approve the Resolution to support Barton Mines and moved its passage with a Second Motion from Mr. Gonyo. With the following Board Members present voting in favor of the Resolution, it is carried. Ayes – 5 (Smith, Gonyo, Hoskins, Stevens, Arsenault); Nays – 0.

7. Comprehensive Plan Update - Laurie Arnheiter; Chair of the CDC other members here as well; see hand out from Ms. Arnheiter (Community Development Committee); we have an opportunity to network LCLGRP – they have money to loan, technical assistance; 6/22/23- 11AM – 3PM at the Town Library; someone that wants to start a small business, this can help; CDC – has no employees, we need to work together and bring these assets to TOJ and surrounding communities; 2004 Comprehensive Plan – it's often called a "community plan"; all are welcome to be part of this; need public support, read the handouts; meetings in each Hamlet so you're all heard; the fire house meetings in each area were done so well and we can do this type of meeting; thank you for your time; we're in this together; Supervisor – let's put your info on the Town Website; Mr. Hoskins – it's a long process, there's time for contemplation and to hear everyone.
8. Resolution to Rescind Resolution #140-18, re: Partial Tax Payments; Supervisor Smith noted that this is a Resolution passed in 2018; Ms. Comstock, Town Clerk clarified; few people used this option, ultimately did not make final payment and it was returned at the end of tax season to the County for collections; Ms. Comstock also indicated that other Towns, comparable in size, do not offer this option

RESOLUTION # 23 – 114

Mr. Hoskins made a Motion to Rescind Resolution #140-18 to discontinue Partial Tax Payments and moved its passage with a Second Motion from Mr. Stevens. With the following Board Members present voting in favor of the Resolution, it is carried. Ayes – 5 (Smith, Gonyo, Hoskins, Stevens, Arsenault); Nays – 0.

9. Resolution for a Special Event Permit – Supervisor Smith noted this was for a one-day Sportsman's Event at Tannery Pond; issuing one permit to cover the event would hopefully ensure more vendors to the event; Ms. Comstock noted that the Farmer's Market also does one Vendor Permit for the season;

RESOLUTION # 23 – 115

Mr. Hoskins made a Motion to approve the Special Event Permit for the one-time Sportsman's Event at Tannery Pond and moved its passage with a Second Motion by Mr. Arsenault. With the following Board Members present voting in favor of the Resolution, it is carried. Ayes – 5 (Smith, Gonyo, Hoskins, Stevens, Arsenault); Nays – 0.

10. Resolution for Standard Workday – Ms. Comstock indicated that this should have been done after the Election for all Elected Officials in the NYS Retirement System; it did not occur and now needs to be done and sent to the NYS Retirement to avoid any lapse in retirement time.

RESOLUTION # 23 -116

Mr. Gonyo made a Motion to approve the Standard Workday as presented and moved its passage with a Second Motion from Mr. Hoskins. With the following Board Members present voting in favor of the Resolution, it is carried. Ayes – 5 (Smith, Gonyo, Hoskins, Stevens, Arsenault); Nays – 0.

11. Resolution for Record of Activities – Ms. Comstock noted that the Record of Activities is a record of hours worked the first 3 months after they are elected. This has to be included with the Standard Workday to the NYS Retirement System.

RESOLUTION # 23 – 117

Mr. Stevens made a Motion to approve the Record of Activities as presented and moved its passage with a Second Motion from Mr. Gonyo. With the following Board Members present voting in favor of the Resolution, it is carried. Ayes – 5 (Smith, Gonyo, Hoskins, Stevens, Arsenault); Nays – 0.

12. Resolution to set a Public Hearing for Proposed Local Law #2-2023 to make the Town Clerk Term a 4-year Term; Supervisor Smith noted that this would help both the Town and the Clerk; there is a learning curve and this was also a recommendation of the Auditor to allow for more consistent processes. Mr. Gonyo asked the Board if we may want to think about other positions to move to 4-year terms (Highway Superintendent/Supervisor); I hope this is the first step in addressing the other positions. Supervisor Smith noted that there is not enough trust in the Supervisor position at this time to move toward a 4-year term.

RESOLUTION # 23 – 118

Mr. Gonyo made a Motion to approve setting the Public Hearing for Tuesday, July 18, 2023 at 7:00PM and moved its passage with a Second Motion from Mr. Arsenault. With the following Board Members present voting in favor of the Resolution, it is carried. Ayes – 5 (Smith, Gonyo, Hoskins, Stevens, Arsenault); Nays – 0.

13. Resolution to approve the changes to the Emergency Action Response Plan – Supervisor Smith asked Mr. Dunkley (Ernie – Safety Officer) what changes were done? Mr. Dunkley – contact information, organization in case of an emergency; chain of command, Board Members; FEMA contacts; can always be updated when needed, just minor things, changed to better suit the Town’s needs.

RESOLUTION # 23 -119

Mr. Gonyo made a Motion to approve the changes to the Town Emergency Action Response Plan and moved its passage with a Second Motion from Mr. Stevens. With the following Board Members present voting in favor of the Resolution, it is carried. Ayes – 5 (Smith, Gonyo, Hoskins, Stevens, Arsenault); Nays – 0.

14. Resolution to Approve Attendance at NYSAOT for Fred Comstock and Mike Dunkley; Supervisor Smith – this is a conference that includes best practices, CHIPS, paving; it’s good for the Town; any education is a great thing; not to exceed \$1,500/attendee.

RESOLUTION # 23 – 120

Mr. Stevens made a Motion to approve the attendance for Mr. Comstock and Mr. Dunkley at the NYSAOT Conference and moved its passage with a Second Motion from Mr. Gonyo. With the following Board Members present voting in favor of the Resolution, it is carried. Ayes – 5 (Smith, Gonyo, Hoskins, Stevens, Arsenault); Nays – 0.

15. Resolution for Approval of a new roller for the Highway Department with CHIPS money. Supervisor Smith – Highway Department is looking to purchase a roller; I have all the appropriate Procurement

paperwork; a new CAT roller will be \$52,000; can buy used for just a little less, but CAT parts are more readily available; Mr. Gonyo we did the Bond for the trucks and we need to purchase another truck at approximately \$250,000 and receive it two years out; I understand we need to spend the CHIPS revenue; replacement cycle needs to be taken into consideration; Supervisor Smith – talked to Fred about this; Mr. Hoskins – we need to have a fleet line inventory and we'll work on this over the summer, to meet the needs of the Highway Department; Ernie Dunkley –we do have replacement dates for current inventory; Mr. Gonyo– what is the purpose of this roller? Fred Comstock – we have CHIPS money that if I don't spend, we lose it; we have a lot paving that is needed; I can use this for a lot of things; 74 miles of dirt roads, most in NYS, if we roll the roads, less raking; costs \$4,500 + 1,200 to rent one for a month; Mr. Hoskins - a rolled road will have less dust; all in favor; Fred Comstock – if I order soon, I can have it by the end of July.

RESOLUTION # 23 – 121

Mr. Hoskins made a Motion to approve the purchase of the roller for the Highway Department with CHIPS money and moved its passage with a Second Motion from Mr. Stevens. With the following Board Members present voting in favor of the Resolution, it is carried. Ayes – 5 (Smith, Gonyo, Hoskins, Stevens, Arsenault); Nays – 0.

16. Resolution for CHIPS Budget Amendment – Supervisor Smith - just updating the budget line to add the \$1,305,292.23,

RESOLUTION # 23 – 122

Mr. Gonyo made a Motion to approve the CHIPS Budget Amendment and moved its passage with a Second Motion from Mr. Hoskins. With the following Board Members present voting in favor of the Resolution, it is carried. Ayes – 5 (Smith, Gonyo, Hoskins, Stevens, Arsenault); Nays - 0.

17. Resolution for Library Grant Funds – Supervisor Smith - move from Library Grants to Library Contractual so the Library can spend the Grant monies in the amount of \$3,050.00.

RESOLUTION # 23 – 123

Mr. Gonyo made a Motion to approve the moving of \$3,050.00 of Library Grant money to the Library Contractual Line and moved its passage with a Second Motion from Mr. Arsenault. With the following Board Members present voting in favor of the Resolution, it is carried. Ayes – 5 (Smith, Gonyo, Hoskins, Stevens, Arsenault); Nays - 0.

18. Resolution for Deputy Registrar Fees –Supervisor Smith – this is just shifting money from the Clerk line to cover the Deputy printing of Death Certificates while the Clerk was out.

RESOLUTION # 23 – 124

Mr. Gonyo made a Motion to approve the payment of \$50.00 to the Deputy Clerk and moved its passage with a Second Motion from Mr. Hoskins. With the following Board Members present voting in favor of the Resolution, it is carried. Ayes – 5 (Smith, Gonyo, Hoskins, Stevens, Arsenault); Nays - 0.

19. Resolution to Establish Sidewalk Budget Line – Supervisor Smith – moving \$8,400 from Unclassified Revenue to a Sidewalk Budget Line; the Highway Department is doing some sidewalks and this will help cover concrete, simply shifting money from one line to another. Mr. Gonyo – we can reapply for concrete?

RESOLUTION # 23 – 125

Mr. Gonyo made a Motion to approve the \$8,400 from Unclassified Revenue to the Sidewalk Budget Line and moved its passage with a Second Motion from Mr. Hoskins. With the following Board Members present voting in favor of the Resolution, it is carried. Ayes – 5 (Smith, Gonyo, Hoskins, Stevens, Arsenault); Nays - 0.

20. Resolution for 2007 Ski Bowl Park Survey Budget Amendment – Supervisor Smith – this is a Bookkeeping clean-up from Resolution #22-207; moving \$21,569.43 from Fund Balance to Parks Contractual.

RESOLUTION # 23 – 126

Mr. Hoskins made a Motion to approve the 2007 Ski Bowl Park Survey Amendment and moved its passage with a Second Motion from Mr. Gonyo. With the following Board Members present voting in favor of the Resolution, it is carried. Ayes – 5 (Smith, Gonyo, Hoskins, Stevens, Arsenault); Nays – 0.

21. Resolution for the Connector Trail Budget Amendment – Supervisor Smith – a Resolution from 2021 stated a 20% match, \$8,400 left over from this Grant; need to move from Fund Balance to Connector Trail Grant Fund.

RESOLUTION # 23 – 127

Mr. Gonyo made a Motion to approve the Connector Trail Budget Amendment and moved its passage with a Second Motion from Mr. Hoskins. With the following Board Members present voting in favor of the Resolution, it is carried. Ayes – 5 (Smith, Gonyo, Hoskins, Stevens, Arsenault); Nays – 0.

22. Resolution to Amend Occupancy Tax Line – Supervisor Smith – this is just a housekeeping item for the Bookkeeper to move the \$20,000 that was budgeted and it should have been the amount of Occ Tax cash on hand as of 1/1/23.

RESOLUTION # 23 – 128

Mr. Gonyo made a Motion to approve the Amendment to the Occupancy Tax \$91,982.58 and moved its passage with a Second Motion from Mr. Hoskins. With the following Board Members present voting in favor of the Resolution, it is carried. Ayes – 5 (Smith, Gonyo, Hoskins, Stevens, Arsenault); Nays – 0.

23. Resolution to Amend Public Health Line – Supervisor Smith – after the last incident at 255 Main Street, which will be billed back to Mr. Epstein, we need to move the \$1,000 from Fund Balance to Public Health; Mr. Gonyo – we do need to have a discussion as there is no mechanism to enforce this, let's take this as a lesson learned; the Town needs to enforce or compel someone to pay; Supervisor Smith – yes we do, maybe fines could be added to taxes.

RESOLUTION # 23 - 129

Mr. Arsenault made a Motion to approve the Amendment of \$1,000 for the Public Health Line and moved its passage with a Second Motion from Mr. Gonyo. With the following Board Members present voting in favor of the Resolution, it is carried. Ayes – 5 (Smith, Gonyo, Hoskins, Stevens, Arsenault); Nays – 0.

24. Resolution for Budget Line Transfer for Parks – Supervisor Smith – this is a transfer from Parks Equipment to Parks Contractual; Mr. Olesheski noted that it had previously been coded incorrectly and we do have some purchases we'd like to make.

RESOLUTION # 23 – 130

Mr. Gonyo made a Motion to approve the transfer of \$30,000 from the Parks Equipment Line to the Parks Contractual Line and moved its passage with a Second Motion from Mr. Hoskins. With the following Board Members present voting in favor of the Resolution, it is carried. Ayes – 5 (Smith, Gonyo, Hoskins, Stevens, Arsenault); Nays – 0.

25. Resolution for Buildings Budget Line Transfer – Supervisor Smith – this line was underbudgeted and will be in the red, most all other budget lines are tracking on line. TPCC is tracking ahead.

RESOLUTION # 23 – 131

Mr. Stevens made a Motion to approve the Buildings Budget Line transfer (\$15,000 from Buildings Equipment and \$25,000 from Buildings Contractual – TPCC) in the amount of \$40,000 and moved its passage with a Second Motion from Mr. Hoskins. With the following Board Members present voting in favor of the Resolution, it is carried. Ayes – 5 (Smith, Gonyo, Hoskins, Stevens, Arsenault); Nays – 0.

26. Resolution to Amend Unallocated Insurance Budget Line – Supervisor Smith – with the new equipment for Parks/Buildings there was an increase in insurance coverage.

RESOLUTION # 23 – 132

Mr. Gonyo made a Motion to approve the \$1,196 from Fund Balance to the Unallocated Insurance Line to cover the increase in insurance and moved its passage with a Second Motion from Mr. Arsenault. With the following Board Members present voting in favor of the Resolution, it is carried. Ayes – 5 (Smith, Gonyo, Hoskins, Stevens, Arsenault); Nays – 0.

27. Riverfront Composting Bathrooms – Mr. Olesheski is looking for approval to purchase and install the composting bathroom at Riverside Park; procurement policy was followed; some of the money is ARPA, equipment line and \$5,000 from Friends of the Park; Mr. Hoskins – this will save money rather than renting the Porta Potty; Mr. Stevens – when will they be installed? Mr. Olesheski – 10-12 weeks after purchase; Mr. Ashline – is there any money for a permanent bathroom? Mr. Olesheski – the leech field is on County property and there could be an environmental impact with the septic; this is a fully contained system and can easily be moved; prices for the Porta Potty continue to increase (\$210/month per unit); 22,000 uses before it needs to be cleaned; I have had several meetings with the stakeholders and all are in favor of this.

RESOLUTION # 23 – 133

Mr. Hoskins made a Motion to approve the purchase of the composting bathroom and moved its passage with a Second Motion from Mr. Gonyo. With the following Board Members present voting in favor of the Resolution, it is carried. Ayes – 5 (Smith, Gonyo, Hoskins, Stevens, Arsenault); Nays – 0.

28. Alternate for ZBA – Supervisor Smith – we have one individual interested in this position, I'd like to request the approval of the appointment of Geoff Konis to this position.

RESOLUTION # 23 – 134

Mr. Gonyo made a Motion to approve the appointment of Geoff Konis to the Alternate for the ZBA and moved its passage with a Second Motion from Mr. Stevens. With the following Board Members present voting in favor of the Resolution, it is carried. Ayes – 5 (Smith, Gonyo, Hoskins, Stevens, Arsenault); Nays – 0.

29. Supervisor's Report – Supervisor Smith – I do check it all; any questions?

RESOLUTION # 23 – 135

Mr. Gonyo made a Motion to approve and accept the Supervisor's Report and moved its passage with a Second Motion from Mr. Hoskins. . With the following Board Members present voting in favor of the Resolution, it is carried. Ayes – 5 (Smith, Gonyo, Hoskins, Stevens, Arsenault); Nays – 0.

30. Committee Reports – Mr. Hoskins – just wanted to say that Pete Olesheski is doing a hell of a job; copy of report available here tonight; great work, thank you.

- Supervisor Smith – the Town has to send out a letter to all in the district re: discharge (lateral) pipes; hoping to get that out this week or next.
- June 27, 2023 at JCS for Ski Bowl Park to review plans; thank you to Kelly for putting it all together.

- Mr. Stevens – it is legal for more than two Board Members to be present at any function ; Supervisor Smith – I verified with Town Attorney, as long as Town business is not being discussed.

31. Warrants – Supervisor Smith - any questions or concerns?

RESOLUTION # 23 – 136

Mr. Stevens made a Motion to approve the Warrants and moved its passage with a Second Motion from Mr. Hoskins. . With the following Board Members present voting in favor of the Resolution, it is carried. Ayes – 5 (Smith, Gonyo, Hoskins, Stevens, Arsenault); Nays – 0.

General Fund:	\$ 112,607.58
Highway Fund:	\$ 67,229.12
Sewer District Fund:	\$ 65,279.56
Library Fund:	\$ 2,619.30
Water District:	\$ 13,559.20
Trust & Agency:	\$ 1,465.44
TOTAL	\$ 262,760.20

32. Motion to move to Executive Session at 9:22PM

RESOLUTION # 23 – 137

Mr. Gonyo made a Motion to move to Executive Session and moved its passage with a Second Motion from Mr. Stevens. Ms. Murante asked due to health issues if she could ask one question. Supervisor Smith indicated they had moved to Executive Session. With the following Board Members present voting in favor of the Resolution, it is carried. Ayes – 5 (Smith, Gonyo, Hoskins, Stevens, Arsenault); Nays – 0.

RESOLUTION # 23 – 138

Mr. Stevens made a Motion to come out of Executive Session and moved its passage with a Second Motion from Mr. Gonyo at 9:23PM. . With the following Board Members present voting in favor of the Resolution, it is carried. Ayes – 5 (Smith, Gonyo, Hoskins, Stevens, Arsenault); Nays – 0.

- Susan Murante – my concern is the Ski Bowl Park; pickle ball court for 4 years we’ve been asking; I’m all about being outside and exercising; it’s being played in all other Towns around us; we need to re-surface the courts; Ken Whitney – I play 5 times a week; I go to Chestertown, Glens Falls; I would like to be able to play here; the courts are usable; need to make them safe.

Motion to move into Executive Session at 9:27PM

RESOLUTION # 23 – 139

Mr. Stevens made a Motion to move into Executive Session and moved its passage with a Second Motion from Mr. Hoskins. . With the following Board Members present voting in favor of the Resolution, it is carried. Ayes – 5 (Smith, Gonyo, Hoskins, Stevens, Arsenault); Nays – 0.

RESOLUTION # 23 – 140

Mr. Gonyo made a Motion to adjourn the Executive Session at 9:45PM and moved its passage with a Second Motion from Mr. Hoskins. . With the following Board Members present voting in favor of the Resolution, it is carried. Ayes – 5 (Smith, Gonyo, Hoskins, Stevens, Arsenault); Nays – 0.

Supervisor Smith noted that there was a decision made to engage a 3rd Party Assessor for the lawsuit. Also there will be a contact team put together for the Contract.

33. Privilege of the Floor

- Janet Konis – is the Audit available? Mr. Gonyo noted that the Preliminary Report was given to us and we then have 30 days to respond; the State will publish it. Ms. Konis – there are seven signs for TPCC – over the zoning laws, are we going to follow any zoning and follow any signs; can we all have as many signs as we want; Supervisor Smith – please stop by my office.
- Bob Nettle – this is for Supervisor Smith – hookup between Warren County CDTA, merged with Capital District CDTA, County needs to come up with a million plus, where is that money coming from; there is a tax on Deeds now; the problem with me is that anything North of Lake George they won't do anything for us; Mr. Arsenault – it's a mortgage tax; Mr. Nettle - no busses coming up here; Supervisor Smith – they will be; Mr. Nettle – that's not what they said; Supervisor Smith – they don't know everything; Mr. Nettle - this really bugs me.
- Bruce Ashline – Supreme Court – a lot more money for Warren County on foreclosed properties; Supervisor Smith noted that it is a problem.

34. Supervisor Smith asked for any further comments? Could we get a Motion to Adjourn at 10:00PM.

RESOLUTION # 23 – 141

Mr. Gonyo made a Motion to Adjourn the Town Board Meeting at 10:00PM and moved its passage with a Second Motion from Mr. Stevens. .With the following Board Members present voting in favor of the Resolution, it is carried. Ayes – 5 (Smith, Gonyo, Hoskins, Stevens, Arsenault); Nays – 0.

Prepared by:

Jean M. Comstock

Jean M. Comstock
Town Clerk

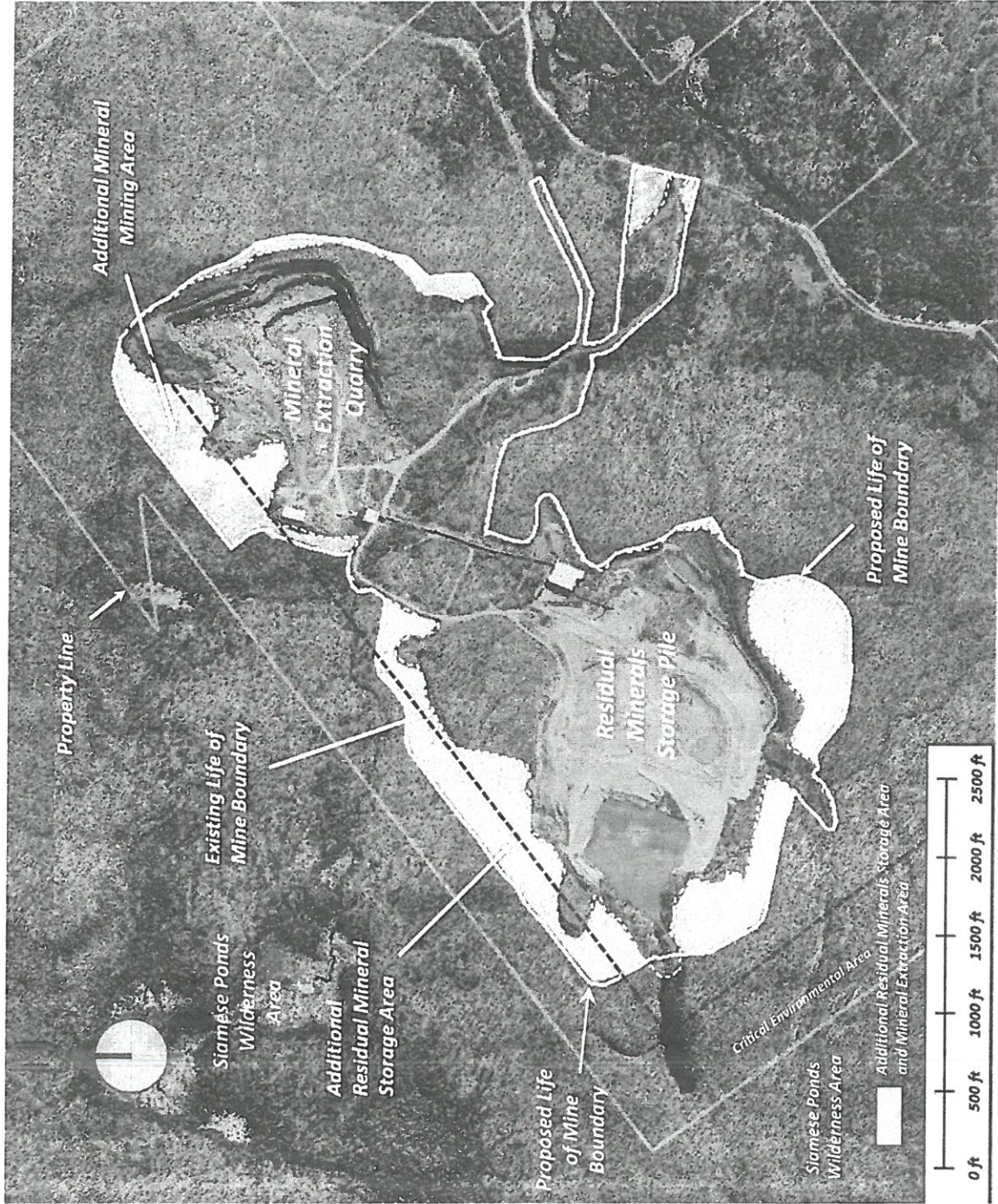
**THE NEXT TOWN BOARD MEETING WILL BE ON JULY 18, 2023 AT 7:00PM WITH A
PUBLIC HEARING ON PROPOSED LAW 2 OF 2023 – 4 YEAR TERM FOR THE TOWN CLERK
POSITION
AND THE REGULAR TOWN BOARD MEETING TO FOLLOW AT TANNERY POND AND ON
ZOOM**

BARTON

Our Mine Permit Modification Proposal

Proposed Permit Modification Take-Aways

- No changes to rate or method of mining
- 7% increased use of Barton property for minerals extraction and storage
- Increase Life of Mine Boundary by 58 Acres
- Move fine residual minerals storage to new quarry containment cells
- Employ concurrent reclamation
- New freshwater source (reduce reliance on surface water extraction)
- Increase haulage from site for new residual minerals product sales with less hauling hrs. (5-16 average Truck Trips Per Day)



Permit Balance

Project elements are interconnected and require delicate balance to achieve the objectives of extending the life and efficiency of the operation, while minimizing impacts.

Project Elements

- Geologic Conditions
- Economics / Life of Operation
- Ore Quality
- Geotechnical Conditions
- Quarry Footprint and Depth
- Sequencing Over Time
- Minerals Storage Footprint and Height
- Mineral Composition
- Market Demands
- Hours of Operations

Impact Avoidance & Minimization

- Critical Environmental Areas
- Visual & Aesthetic
- Sound
- Visible Dust
- Stormwater Management (Future Storms)
- Wetlands and Stream
- Transportation
- Endangered Species
- Site Stability

Technical Studies - Conclusions

The proposed project was evaluated through detailed technical investigations in accordance with APA and DEC regulatory guidance standards and good engineering practices. All studies coordinated with APA and DEC including Pre-Application Meeting, Responses and Technical Scoping Sessions

- *Visual – No new visual impacts; Phased mine site plan and reclamation plan to delay impacts and reclaim concurrently*
- *Dust - Phased mine site plan design and measures to reduce (reclamation, bio-degradable dust suppressant coating)*
- *Sound – Will be compliant with the permit*
- *Wetlands and Streams – Site plan designed for avoidance of stream impact (no jurisdictional wetlands)*
- *Stormwater Management – Phased stormwater control system to match phased mine site plan and account for future anticipated storm events*
- *State Historical Preservation Office / Endangered Species – No impacts*
- *Transportation – Minimal traffic impacts identified (no mitigative measures necessary)*

Our Proposed Mine Permit Modification

Helping Sustain & Grow Our Business for Generations to Come

Barton Mines is a family-owned company that has been mining garnet in the Adirondack region since 1878. Since 1983, our mining and initial mineral processing has occurred on Ruby Mountain in the Town of Johnsburg, hamlet of North River. Final processing takes place at our plant four miles away in the Town of Indian Lake.

At Barton, we pride ourselves on being a major local employer and taxpayer, and managing our operations in a way that minimizes impacts to our neighbors and the environment. We provide jobs for approximately 125 people and hope to continue in this role for generations to come.

Barton employees turn Adirondack garnet from our Johnsburg quarry into world-class abrasive products for the U.S. military, as well as the aerospace, automotive, and medical device industries, among others. Our mining-related activities are regulated by the Adirondack Park Agency (APA), the New York State Department of Environmental Conservation (DEC) and the federal Mine Safety and Health Administration, and our quarry area is classified by the APA for industrial use.

Not all of the minerals we extract from the quarry can be used in our products and instead must be stored on our site. Under our current permit, we have approximately six years of storage space left for these “residual minerals.” Once our storage space is full, we will be unable to continue operating.

To address this challenge, we are seeking DEC and APA approvals to modify our permit so that we can continue operating until all the mineable garnet has been utilized — approximately 75 years from now.



Key parts of our proposal are:

- Increasing our residual minerals storage capacity by storing some of those minerals in containment cells within our quarry instead of on the storage pile, and by gradually extending the footprint and height of the pile (remaining entirely on Barton property). As we reach capacity on sections of the pile, we will plant vegetation on it to help the pile further blend into the landscape. **The height of the pile will not begin to increase beyond its current height for another 25 years.**
- Gradually extending our quarry’s footprint and depth over a 75-year period, remaining entirely on Barton property.
- Increasing the number of allowable truck trips from the mine from an average of five trips per day to an average of 16, and reducing trucking hours from the current 7 a.m.-10 p.m. to 7 a.m.- 5 p.m.

These modifications are necessary for Barton to continue our Adirondack operations and provide good jobs for local people.

More details can be found at www.Barton.com/mine-permit-information.

Questions? Contact Barton VP Rob Albano at permitquestions@barton.com or (518) 615-2041.

Good evening. My name is Alan Belenz and I'm a Johnsbury resident.

Barton Mine is proposing to add 15.5 million cubic yards of waste rock to its existing tailings pile which currently towers over North River, increasing its height by 100 feet, a 32% increase. The volume of this increase will be 4.5 times larger than of Giza, the largest of the Great Pyramids of Egypt. 67 acres of forest will need to be clearcut, of which 40 acres will be scraped down to bedrock. 42,000 trees will be removed. The resulting pile will likely be the largest man-made structure north of Albany, and it will exist forever. The proposed mine expansion is very large and complex, the most recent application being over 2600 pages in length. It needs to be thoroughly evaluated and understood.

Some Town residents have expressed concerns over noise, dust, and visual impacts from current mine operations and as well concern for the proposed expansion. Fortunately for the Town Board, it is not your obligation responsibility to evaluate the residents' concerns, that responsibility belongs to APA and DEC agencies, but it is your obligation to acknowledge the concerns your constituents have raised.

APA and DEC are responsible for protecting the environment and public health while balancing the needs for economic growth. The experts at these agencies have concluded that the current Barton application is inadequate, and additional information is needed to thoroughly evaluate the project. There currently is no approved mine application available for review.

I respectfully suggest that it is premature for anyone, the Town Board, Johnsbury residents, myself included, to take a position on the suitability of this project... until we can review a draft permit for the mine, or at least a final approved application. We should wait for the complete package and in the meantime let the State Agencies do their job.

Our group, Friends of Siamese Ponds, has been advocating for a win/win/win approach – one that protects the character of 13th Lake and the surrounding wilderness, addresses valid concerns of the community, and allows Barton to thrive as a Warren County business. If the Board decides it wants to get involved with this issue, we request that it pursues solutions that address all these goals, not just one of them. Thank you for your time and for your service to the Town of Johnsbury."

Thank you for the opportunity to speak tonight about the Barton Mines expansion with regards to the real estate market in North River.

I have lived in North River since 1985 doing home contracting work for 30 plus years and real estate sales for the past 25 years: listing, showing, and selling dozens of properties in North River.

In the real estate world, the saying of “location, location, location” is so true about what strongly affects the value of residential property. Garnet Hill’s position next to cross country skiing, Garnet Hill Lodge, 13th Lake, the year-round experiences from the Adirondacks Siamese Pond Wilderness area and Gore Mountain ski area are why most owners purchase. In some instances, these reasons apply to North River houses also.

But lately that location expression is being tested. Last fall I listed a house for sale on Harvey Road that I showed to 10 families. During the showings, three families asked me about the Barton Mines expansion and what could I tell them was happening. I explained what I knew about the expansion and sent them the Adirondack Explorer November 2021 article. Two clients then said no thank you expressing that it was just too risky to invest in Garnet Hill given the uncertainty of Barton’s applications and its impact on the home’s future value. The third couple did decide to make an offer on the house, though with reservations expressed to me.

A current owner who purchased a Garnet Hill house in 2016 told me if they had known about the increased mine noise they are now experiencing, they would not have purchased. While hind sight is 20/20, what will the real estate market and home values become for the next 80 years in Garnet Hill and North River if the mine's expansion is allowed to progress without regard to its many impacts?

Two to three Garnet Hill properties are sold each year and also approximately two in North River. My concern is if some buyers stay away from future sales, then the values of these properties could become depressed. The annual half million tax dollars Garnet Hill properties pay and an equal amount for North River owners, along with the many services contracted, is just too big a number to ignore.

There are more than 185 houses in North River outside of Garnet Hill and 85 in Garnet Hill. It is too early to predict assessments and house value reductions, but properties located close to the mine are more likely to experience change if noise, dust, visuals, and traffic are unchecked.

As to the importance of Barton Mines, some of the homeowners that I know have expressed their views about the value of the longstanding importance of Barton Mines as a local employer. My hope is the mine expansion and permit process will balance both the social and economic importance of the mine **AND** the nearby North River community. Let's work together to achieve that balance.

Thank you, Larry Blackhurst, Laurenceblackhurst@gmail.com,
518-338-7063

Comments to the Johnsborg Town Board on June 20, 2023

From Tom and Bonnie Ludlow

I am Tom Ludlow and this is my wife Bonnie. We are 84 and 82 years old, respectively. We have been Johnsborg property owners and taxpayers since 1974, when we were in our mid-30s, nearly 50 years ago. Our home is at 11 Whispering Pines Way.

As lifelong social workers, now retired, the peace and natural beauty of our surroundings has supported us in our efforts to help others. And as members of the Religious Society of Friends (Quakers), we try to see and validate the good in others. In that Light, we thank you for your service on the town board and appreciate your efforts to protect the interests of all Johnsborg residents, businesses and taxpayers.

You do not have an easy task. Nevertheless, we are asking each one of you to decide what you can do that will help Bonnie and me as residents who live near the Ruby Mountain Mine, and at the same time keep the mine profitable and a good neighbor for the next 80 years and longer.

Again, thank you.

Town of Johnsburgh Comprehensive Plan

Johnsburgh is updating its 2005 Comprehensive Plan.

The Plan will define the community's vision for the future, establish goals, and set a framework for future decision making.

What is a Comprehensive Plan?

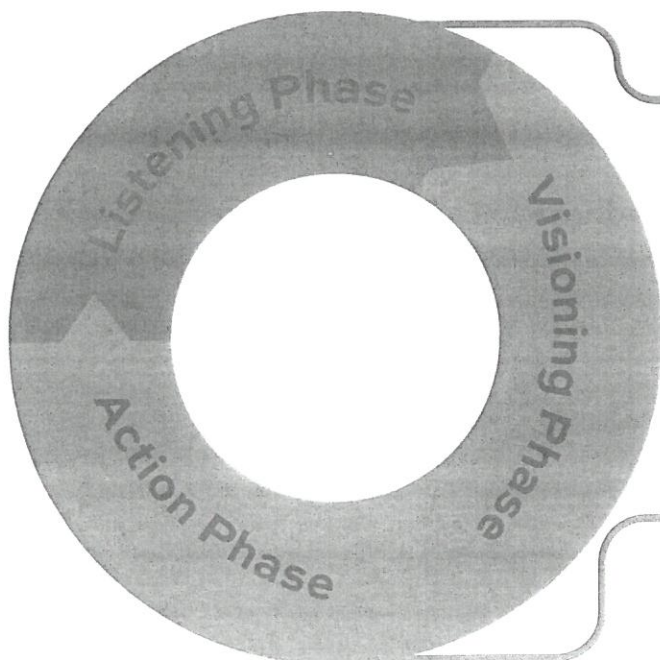
A Comprehensive Plan is:

- A blueprint for the future
- A decision-making guide
- A basis for policy and land use decisions
- Flexible and adaptive

A Comprehensive Plan is not:

- A zoning ordinance
- Rigid, unchanging policy
- Specific in scope

The Comprehensive Planning Process



Where are we now?

- Hear from the community about issues, values, etc.
- Understand existing conditions

Where are we headed?

- Develop a vision for the future

How do we get there?

- Strategies to realize your vision

Why do we Plan?

- To engage the community
- To guide Town growth and development decisions
- To ensure a successful future

Public Engagement Events

Public engagement is a key component in developing a community's
Comprehensive Plan.

The Johnsbury Community will have many opportunities to provide
their input on the plan.



One Community Survey: to be opened
this summer



Two community workshops

To see products of the plan as they are completed,
visit the project website by scanning the QR code



Or visit the link below:

<https://sites.google.com/view/johnsburgcomprehensiveplan/home>

Project Team

Allison Gaddy, AICP

Allison.Gaddy@lclgrpb.org



LAKE CHAMPLAIN-LAKE GEORGE

REGIONAL
PLANNING



Town of Johnsbury
1800 • 1800 • 1800