

# Town of Johnsburg Newsletter

## Supervisor's Report

### Short Takes

### APA Action Sparks Controversy

#### Insurance Awarded

Over the last several months substantial negotiations have taken place between town officials, the Merriam Insurance Agency and the New York Municipal Insurance Reciprocal (NYMIR). These discussions concluded in early Dec. with a meeting of all parties where the Merriam Agency proposed a 10% reduction in premium with no coverage changes and some increased liability protection. The Town Board voted to award the coverage to the Merriam Agency with NYMIR as the carrier. Town resident Gret Kirby is employed by the Merriam Agency and provides an important local point of contact.

#### Enclosed Pavilion Update

Construction in Ski Bowl Park may begin as early as April on a combined Town/ORDA project to renovate and expand the red enclosed pavilion. In winter months the building will serve as a ski lodge and in the summer it will be used for youth program and other town events.

#### Historian Retires

Longtime Town Historian Doris Patton has retired. The town board congratulates her on her retirement and thanks her for so many years of dedicated service.

#### Highway Discussions Continue

A committee consisting of councilmen Gene Arsenaault and Ron Vanselow is meeting with Highway Superintendent Dan Hitchcock to discuss potential restructuring of the highway department. One part of the proposal would move the parks dept. and solid waste/recycling under the highway department.

#### Unfortunate Remarks

The town board is addressing an inappropriate racial slur made at a recent board meeting. The remark will not be swept under the rug and the board is presently at work on a course of conduct to modify this behavior.

Recent efforts by the APA to change regulations related to shoreline construction projects has raised the ire of residents and local government officials and has resulted in a multi-county law suit to stop implementation of the changes.

Prior to the new regulations, camps and waterfront homes that were otherwise in compliance with APA rules for setback could be expanded or renovated without APA review if the changes did not move the structure closer to the water.

By way of example, an otherwise lawful camp on Garnet Lake owned by a growing family who wish to put an additional bedroom on one side of the camp without affecting the actual setback from the lake would, under the new rules, require a variance from the APA. This likely would require the hiring of an engineer, attorney and land surveyor.

Opponents of the new regulation are highly critical in two different respects.

First, many local government officials believe that the APA was required to consider the economic impact of the new regulations on both homeowners and contractors. According to these officials no such review was ever undertaken.

Secondly, officials are expressing concern about the method by which the agency seeks to expand its jurisdiction. Typically, an expanse of jurisdiction requires state legislative action, not just administrative passage of a new regulation.

Supporters of the new regulations argue that the action is necessary to protect park waterfront and add that local communities should have already undertaken this action themselves.

To date, a coalition of six counties have contributed funds to be pooled in an effort to litigate this and related issues against the APA.

The county coalition has retained the services of Glens Falls attorney Dennis Phillips.

"Somehow, someplace we have to get to a better place (with the APA) and a better understanding of what it is like to live here.," said Senator Betty Little, speaking in strong opposition to the new regulations.

## Snow Blind

As if it's not tough enough to run a business in a tiny Adirondack hamlet, imagine trying to do so from a snow bank.

This is exactly the situation North Creek merchants are facing as the town struggles to manage snow removal after Warren County's announcement that it is limiting snow removal services and eliminating sidewalk cleaning after nearly 20 years of providing the service by agreement with the town.

In early December the Warren County Public Works Committee voted to eliminate sidewalk cleaning and forbade town use of the county equipment needed to do so. Likewise, the committee indicated it would only remove massive snowbanks in North Creek as a low priority on weekdays and only if such work did not force county workers into costly overtime.

The measure is clearly a sign of things to come as county officials struggle with an ever worsening fiscal crisis.

### **The Town Responds.**

In response to the County's action the Johnsburg Town Board voted unanimously to go out to bid for intermittent snow removal (times when the county has not removed snow).

Councilman Arnold Stevens suggested snow removal and beautification would be an appropriate use for bed tax dollars.

Building on Arnold's idea, town bookkeeper Candace Lomax was able to identify additional unallocated funds from last year's (08) bed tax which unless used will simply roll over. Thus much of the snow money can come from bed tax without threatening 09 bed tax applicants.

Bids for removal of snow not handled by the county will be opened at an upcoming board meeting.

In the meantime, Supervisor Goodspeed detailed the county relationship with the town at a re-convened DPW committee meeting, explaining that the county's work was apparently part of an oral agreement that occurred when the town gave the county a parcel of property some decades ago. Goodspeed requested and the committee granted use through the season of the county Bobcat by town employees to help clear sidewalks.

## Martin Luther King Day

Ideas and comments are welcomed and encouraged as the town seeks to do more to celebrate Martin Luther King Day. Possibilities could include a discussion group at Tannery Pond Community Center, integration of the celebration into the Winter Extravaganza or possibly a movie series. Any ideas? Please help?

## Zoning Meeting

A meeting of town officials and APA officials occurred recently at Tannery Pond Community Center. The meeting was a first effort to resolve confusion over the implementation of the town's new zoning ordinance. More work on this will follow as town attorney Tony Jordan will be following up with agency officials.

## ORDA Representative

A new Warren County ORDA representative will be named shortly by Governor Patterson to replace current representative Jack Arehart, who has finished his term. Jack did a great job of representing Warren County's interests with the Lake Placid based authority.

## Little Sayward Urge State to Halt Land Purchases

As the State of New York faces mounting financial woes, Senator Betty Little and Assemblywoman Theresa Sayward have each proposed legislation to halt state acquisition of land in the Adirondack Park.

In support of their efforts both representatives have spoken recently and in numerous forums regarding the financial consequences of the purchases.

Both representatives countered that if the state truly wishes to address the fiscal crisis it should stop spending millions of dollars on land purchases which in addition to draining state coffers also has the effect of removing private land from tax roles thereby harming other taxpayers.

In response, environmental groups defend the purchases as necessary vehicles to protect wild land within the park from development.

While the Little and Sayward proposals are drawing strong regional commentary it is unlikely that the legislature will enact the laws the two representatives propose.

## Late Breaking News: Suit to Halt Interconnect

As deadline on the town newsletter is a mere few hours away, word has been received that a law suit has been filed in an effort to halt further development at Gore Mt. including the interconnect between Gore and the North Creek Ski Bowl.

While the legal papers were not available by this deadline, it has been confirmed that state officials were served with papers late Friday, December 12.

The legal proceeding has been initiated by the Resident's Committee for the Protection of the Adirondacks through that group's attorney John Caffrey of Glens Falls. More information on this topic in February's newsletter.