

**Minutes of the Town of Johnsbury Regular Board Meeting August 7, 2007  
Held at 7:00pm at the Wevertown Community Center, Wevertown, NY and an Executive  
Session Held at 6:15pm to Interview Candidates for the position of Alternate Member  
Planning Board**

Minutes of the Executive Session of the Town Board of the Town of Johnsbury held on Tuesday August 7, 2007 at 6:15pm at the Wevertown Community Center, Wevertown, NY. Supervisor Thomas called the meeting to order at 6:15pm for the purpose of conducting interviews for the position of Alternate Member Planning Board.

Roll call showed the following persons present: Supv. William H. Thomas; Town Councilpersons/ Eugene Arsenault, Sterling Goodspeed, Arnold Stevens and Alyce VanKeuren; Town Clerk/ William Rawson.

Also present was the interviewee: Steven Osterhout

Mr. Arsenault made a motion, with a second from Mrs. VanKeuren to enter into executive session for the purpose of conducting interviews for the position of Alternate Member Planning Board at 6:15pm. With all members voting in favor the resolution is declared carried. Ayes-5 (Arsenault, Goodspeed, Stevens, VanKeuren, Thomas) Nays - 0

Mr. Stevens made a motion, with a second from Mr. Goodspeed to adjourn the executive session at 6:20pm. With all members voting in favor the resolution is declared carried. Ayes-5 (Arsenault, Goodspeed, Stevens, VanKeuren, Thomas) Nays - 0

Minutes of the regular meeting of the Town Board of the Town of Johnsbury held on Tuesday, August 7, 2007 at 7:00pm at the Wevertown Community Center, Wevertown, NY. Supervisor Thomas called the meeting to order at 7:00pm and the pledge to the flag was led by Councilman Arnold Stevens.

Roll call showed the following persons present: Supv. William H. Thomas; Town Councilpersons/ Eugene Arsenault, Sterling Goodspeed, and Arnold Stevens Alyce VanKeuren; Town Clerk/ William Rawson.

Guests: On attached list

**BID OPENING:**

The Town Clerk read the Legal Notice for the Municipal Dump Body and Hoist Package bid as it appeared in the North Creek News-Enterprise of July 28<sup>th</sup> and August 4<sup>th</sup>. The Clerk noted that three copies of the bids had been sent out. There were two bids received on or prior to the August 7, 2007 deadline. The bids received, in order of receipt, were from T & T Sales, Inc. and Arrowhead Equipment, Inc.; both bids contained all required forms. The bids were in the following amounts:

T & T Sales, Inc.	\$15,727.00
Arrowhead Equipment, Inc.	\$14,780.00

**RESOLUTION NO. 220**

Mr. Arsenault presented the following resolution and moved its passage with a second from Mrs. VanKeuren to accept the minutes of the July 17, 2007, Regular Town Board Meeting as written. With all members voting in favor the resolution is declared carried. Ayes-5 (Arsenault, Goodspeed, Stevens, VanKeuren, Thomas) Nays - 0

## CORRESPONDENCE:

1. A letter from Mr. Thomas Cunningham, with a copy also sent to the Planning Board, commenting on the negative impact of the Tall Timbers project on adjacent existing residential areas and suggesting that alternative traffic routes to the project be established.
2. A letter from Mrs. Patricia Ordway, Acting President of the Cheerful Cricket Nursery School, requesting space in the Tannery Pond Community Center for their 2007-2008 school year and informing the Town Board that parent of a student and professional painter, Todd Parker was painting the room to repair damage.
3. A letter from Mr. Todd Hawkins, recently appointed to the position of Assistant to the Superintendent of the North Creek Water District thanking the Town board for allowing him the opportunity to serve the community.
4. A letter from Mrs. Ruth Dunbar thanking Supv. Thomas for his help in getting a new flag for the Senior Citizen Center.
5. A letter from Justice Carl vonCzoernig requesting that the Town Board authorize purchase of a second hand air conditioner for the justices' chambers in the Wevertown Community Center in consideration of the excessive heat in their chambers.
6. A letter from the Black Mountain Motel notifying the Town Board that it is the intention of the owners to renew their liquor license.
7. A letter from Mark Kennedy of the New York State Regional Transportation Systems Operations, informing the Town Board that as a result of conducting a speed limit investigation on State Route 28 between the northerly and southerly entrances to the hamlet of North Creek that it is his opinion that the road is properly signed for existing conditions.

## COMMITTEE REPORTS:

## OLD BUSINESS:

Supv. Thomas noted that the Town Board had conducted a public hearing earlier today on the amendments conditioning the Adirondack Park Agency acceptance of the Town of Johnsbury Land Use Plan (Local Laws #1-4) and earlier conducted a hearing on December 13, 2006 and January 11, 2007. Supv. Thomas asked if the Town Board wished to move forward to enact the Town of Johnsbury Land Use Plan (Local Laws #1-4). Mr. Goodspeed agreed with moving forward and noted that there would be further opportunities to amend the plan if necessary. Mr. Stevens said that moving forward was a wise and prudent move at this point.

## RESOLUTION NO. 221

Mr. Goodspeed presented the following resolution and moved its passage with a second from Mr. Arsenault:

WHEREAS, the Town of Johnsbury has developed and administrated a Local Land Use Program for many years, including a Zoning Law and Zoning Map originally enacted on March 2, 1964, a Flood Damage Prevention Local Law enacted on April 14, 1987 [Local Law No. 1 of 1987], and Subdivision Regulations adopted on November 19, 1989, and

WHEREAS, the Town of Johnsbury has prepared a new Local Land Use Plan as enacted in its Comprehensive Plan to guide land use and development within the town and adopted the plan on July 19, 2005, and

WHEREAS, the Town of Johnsbury now desires to implement its new Comprehensive Plan by enacting a new Subdivision Control Law, a new Zoning Law, a new Junk Storage Law, a new On-Site Wastewater Treatment Local Law and adopting a revised Zoning Map, and

WHEREAS, the Town of Johnsbury also desires to submit this new Local Land Use Program to the Adirondack Park Agency for approval pursuant to section 807 of the Adirondack Park Agency Act and Part 586 of the Agency's regulations, and

WHEREAS, upon approval by the Agency of said Local Land Use Program, the Town of Johnsbury intends to administer and enforce the program in accordance with its terms and conditions and to assume project review jurisdiction over class B regional projects and the shoreline restrictions in accordance with sections 806 and 808 of the Adirondack Park Agency Act, and

WHEREAS, the Town of Johnsbury duly advertised and conducted a Public Hearing on the proposed new local laws, commencing on December 13, 2006, at 6 p.m. and continuing on January 11, 2007, with the public comment period left open until 5 p.m. on January 31, 2007, and

WHEREAS, the Town of Johnsbury duly advertised and conducted a Public Hearing on the amendments conditioning the acceptance of the proposed new local laws by the Adirondack Park Agency on August 7, 2007, at 6:30pm, and

WHEREAS, the Town of Johnsbury, having considered all comments by the public and having concluded that no significant changes were made to the proposed Local Land Use Program as a result of the Public Hearing process,

THEREFORE BE IT RESOLVED that the Town of Johnsbury formally approves pursuant to section 807 of the Adirondack Park Agency Act the Town's proposed Local Land Use Program comprised of (i) the Town of Johnsbury Comprehensive Plan as adopted on July 19, 2005; (ii) the proposed Local Law #1 of 2007 [Town of Johnsbury Subdivision Control Law]; (iii) the proposed Local Law #2 of 2007 [Town of Johnsbury Zoning Law, dated January 28, 2007]; (iv) the proposed revised Zoning Map, dated December 2006; (v) the proposed Local Law #3 [On-Site Wastewater Treatment Local Law]; (vi) the proposed Local Law #4 of 2007 [Junk Storage Law]; and (vii) the aforementioned Town of Johnsbury Flood Damage Control Local Law. With all members voting in favor the resolution is declared carried. Ayes-5 (Arsenault, Goodspeed, Stevens, VanKeuren, Thomas) Nays – 0

Supv. Thomas asked Mr. Goodspeed to explain where the current position of the NIPA process for the Ski Bowl Park regarding the lifts, trails, lighting and snowmaking. Mr. Goodspeed explained that contrary to primary indications the Adirondack Park Agency (A.P.A.) has now said that while the lift and snowmaking are non-jurisdictional that the ski trail and lighting for night skiing will probably require A.P.A. review. There are pictures of the ski trails at the park area and this may resolve the questions on that issue; Town Attorney Jordan asked that anyone with pictures of the tubing park in operation at night with the lights on to please forward them to the Town Offices to be used in showing the current light condition. Ms. Andrea McKee said that she had some photos and would forward them the next day. Mr. Goodspeed said that this lead to a separation from the Front Street N.I.P.A. which is a positive outcome.

Mr. Stevens explained that Warren County has received a grant of approximately \$9,500.00 for paving at the Wevertown Community Center to increase parking at the building. Using Town Highway employees the area to the north side and rear of the building will be leveled, catch

basins installed, the area will be paved and some additional lighting will be installed. Supv. Thomas noted that a short form State Environmental Quality Review (SEQR) regarding the paving project. This resulted in a determination of no adverse impact and a negative declaration to be filed.

#### RESOLUTION NO. 222

Mr. Stevens presented the following resolution and moved its passage with a second from Mr. Goodspeed that

WHEREAS, the New York State Environmental Quality Review Act (SEQR) requires the Town of Johnsburg to determine the potential adverse environmental impact of paving at the Wevertown Community Center parking area;

WHEREAS, the Town of Johnsburg Town Board has completed a Short Environmental Assessment Form and has identified no potential significant adverse impacts of the paving project, and

THEREFORE, BE IT RESOLVED that it is hereby determined that no significant adverse environmental impact will result from the paving project, and that a negative declaration, pursuant to 6 NYCRR Part 617, shall be prepared.

With all members voting in favor the resolution is declared carried. Ayes-5 (Arsenault, Goodspeed, Stevens, VanKeuren, Thomas) Nays - 0

#### RESOLUTION NO. 223

Mr. Arsenault presented the following resolution and moved its passage with a second from Mr. Stevens that it is resolved that the Town of Johnsburg Town Board authorizes the Supervisor of the Town of Johnsburg to sign the Short Environmental Assessment Form for the paving project at the Wevertown Community Center parking. With all members voting in favor the resolution is declared carried. Ayes-5 (Arsenault, Goodspeed, Stevens, VanKeuren, Thomas) Nays - 0

Supv. Thomas informed the Town Board that the well at the Wevertown Community Center has dropped to 22" or less. Supv. Thomas suggested using some of the \$25,000.00 which the Town Board had planned to use for paving; the suggestion was made by Mr. Stevens to cover the north parking area with Item #4 and pave the south side which will have handicapped accessible parking and to use the money saved for drilling a well. It was estimated that if this was done the amount available for drilling a well would be \$18,000.00. Mr. Richard Armstrong asked if the gasoline contamination from the adjacent property would be a problem. Supv. Thomas said that following the cleanup of the property that the Town received reports from the Department of Environmental Conservation on a regular basis until the report came back as clear for a number of periods. Mr. Stevens suggested asking Engineer James Hutchins to look for a well site on the property and not in the parking area. Also the Supervisor's Office would attempt to obtain estimates of the cost of drilling a well.

Supv. Thomas noted that the bids for the Municipal Dump Body and Hoist Package had been opened earlier in the meeting. The bids received, in order of receipt, were from T & T Sales, Inc. in the amount of \$15,727.00 and Arrowhead Equipment, Inc. in the amount of \$14,780.00; Supv. Thomas asked if the Town Board wished to act upon the bid.

## RESOLUTION NO. 224

Mr. Stevens presented the following resolution and moved its passage with a second from Mr. Goodspeed to accept the lowest responsible bid for the for the Municipal Dump Body and Hoist Package; the lowest responsible bidder capable of fulfilling all the bid requirements was deemed to be Arrowhead Equipment, Inc. in the amount of \$14,780.00. With all members voting in favor the resolution is declared carried. Ayes-5 (Arsenault, Goodspeed, Stevens, VanKeuren, Thomas) Nays - 0

Supv. Thomas asked that the Town Board authorize Highway Supt. Curtis Richards to order from state contract (NYS/OGS Contract #40601) a loader backhoe for the amount of \$70,386.00 plus delivery and a 2007 1 ton dual rear wheel 4 x 2 cab & chassis with dump sander and 9' heavy duty plow from Warren County bid (WC 46-07) in the amount of \$58,569.00 plus delivery. Due to cost fluctuations Highway Supt. Richards needed to place the order as soon as possible.

## RESOLUTION NO. 225

Mr. Goodspeed presented the following resolution and moved its passage with a second from Mrs. VanKeuren to authorize the purchase of one (1) loader backhoe for the amount of \$70,386.00 plus delivery under state contract (NYS/OGS Contract #40601) and one (1) 2007 1 ton dual rear wheel 4 x 2 cab & chassis with dump body sander and 9' heavy duty plow from Warren County bid (WC 46-07) in the amount of \$58,569.00 plus delivery as ordered by Highway Supt. Curtis Richards. With all members voting in favor the resolution is declared carried. Ayes-5 (Arsenault, Goodspeed, Stevens, VanKeuren, Thomas) Nays - 0

Supv. Thomas recognized Secretary Cherie Ferguson to report to the Town Board on Vandalism and safety issues at the beach area. Ms. Ferguson informed the Town Board that there have been 3 arrests made following an investigation of vandalism at the beach area and along the Carol Thomas Walking Trail from an incident occurring in late April of this year; further damage was found on July 25, 2007. The total cost to the Town to repair these acts of vandalism is approximately \$1200.00 with the July 25<sup>th</sup> event costing about \$244.00. The sheriff's department has indicated that it will step up patrols in the area. Ms. Ferguson explained that a boat had been donated to the town beach for use by those using the beach area. When this use request was relayed to the insurance carrier for their input they replied that a use of this type would require specific oversight, sign up and personal flotation devices for those using the boat. As a result of this discussion with the insurance carrier the boat has been removed. Mr. Goodspeed reminded the board that his suggestion of adding boating or kayaking to the beach area was as a part of the Summer Youth Program.

Supv. Thomas recognized Ms. Andrea McKee, chairman of the Ski Bowl Park Committee, to discuss park related issues. Ms. McKee informed the Town Board that the Ski Bowl Park Committee misunderstood that while the Town Board had discussed the idea of boats at the beach area that no resolution had been made regarding the implementation of such a project. Ms. McKee added that she along with Mr. Marco Schmale were trying to track down those responsible for vandalism at the park; she added that Kate Hartley, director of the Art & Nature Camp had referenced studies that mural painted walls are less susceptible to vandalism than unpainted walls. Mr. Donald Walp asked if the Town Board would consider it prudent to offer a

reward in connection with the vandalism; Town Attorney Jordan answered that in his opinion it was not legal for the Town Board to offer a reward. Ms. McKee informed the Town Board that the Ski Bowl Park Committee was basically done for the season in trying to make improvements in the beach area; however, the committee requested permission to put web-cams in the pavilion and also to install a computer to play music. Supv. Thomas said that he did not have a problem with changing items approved but not the budgeted amount; Mr. Arsenault agreed with Supv. Thomas, but noted that insurance and procurement policy compliance are important. Mr. Arsenault suggested communication between the committee and either the Supervisor or the Town Board committee members. Mr. Goodspeed said that the Town Board has the fundamental responsibility for the expenditure of Town funds and to continue to receive good audit reports the procurement policy needs to be followed, he added that the addition of small, inexpensive items can change materially the look of the park or beach. Ms. McKee and Supv. Thomas said that they were trying to limit the need to take up Town Board time to cover the items discussed in the Ski Bowl Park Committee meetings. Mr. Goodspeed suggested that the Town Board receive copies of the committee's minutes for information; this seemed to be a possible solution. Ms. McKee informed the Town Board that the Master Gardener group had worked on the triangle area and were creating separate gardens and soliciting individuals or businesses to take responsibility for each garden. The master gardener group said that it would cost approximately \$500.00 to get water to the triangle. Ms. McKee also informed the Town Board that the Youthworks group left as of August 4<sup>th</sup>; the group left several items stored in the pavilion above the utility room. Supv. Thomas thought this would be acceptable.

Supv. Thomas recognized Secretary Cherie Ferguson to report to the Town Board on several issues relating to the Tannery Pond Community Center. Ms. Ferguson had received three quotes regarding the cleaning of the carpets at the Tannery Pond Community Center. The three quotes are as follows: North Country Janitorial \$1048.52; Hutchins Pro-Clean \$1474.85; Best Carpet & Upholstery Cleaning \$500.00. The quotes from North Country Janitorial and Hutchins Pro-Clean specifically state upstairs and downstairs; the quote from Best Carpet & Upholstery Cleaning does not.

#### RESOLUTION NO. 226

Mr. Stevens presented the following resolution and moved its passage with a second from Mr. Arsenault to authorize the acceptance of the quote from Best Carpet & Upholstery Cleaning in the amount of \$500.00 as the lowest responsible quote pursuant to supplying satisfactory references and failing that to authorize the acceptance of the next lowest quote. With all members voting in favor the resolution is declared carried. Ayes-5 (Arsenault, Goodspeed, Stevens, VanKeuren, Thomas) Nays - 0

Ms. Ferguson explained that the heating system (H.V.A.C.) has received a replacement chip in the computer and it took 1 and 1/2 days of labor to identify and correct the damage. The technician did not feel that there was a need for the telephone line to be reinstalled and therefore she did not order the line to be reinstalled as the Town Board had allowed at the previous meeting. Ms. Ferguson added that currently that there is still no surge protection in the building.

Ms. Ferguson informed the Town Board that at 4:00am on July 20<sup>th</sup> there was a fire in the elevator motor at the Tannery Pond Community Center the technician said that the damage to the motor causing the fire was linked to the lightning strike which damaged the H.V.A.C. system.

The insurance carrier has been notified. The Town has not yet received an estimate of the cost to repair the damage.

Ms. Ferguson added that a sprinkler inspection on the Tannery Pond Community Center sprinkler system; the cost of the inspection is \$200.00 and she is looking into an annual inspection contract. Ms. Ferguson added that Foresight Electronic Monitoring Systems had supplied a quote for an annual inspection of the fire alarm system in the following Town buildings: Town Hall, Highway Garage and Tannery Pond Community Center at a total cost of \$505.00 per year. Supv. Thomas asked the Town Board to allow him to sign the contract with Foresight Electronic Monitoring Systems for an annual inspection of the aforementioned Town buildings.

#### RESOLUTION NO. 227

Mr. Goodspeed presented the following resolution and moved its passage with a second from Mr. Arsenault to allow the Supervisor to execute the contract with Foresight Electronic Monitoring Systems in the total amount of \$505.00 annually for an annual inspection of the fire alarm system in the following Town buildings: Town Hall, Highway Garage and Tannery Pond Community Center. With all members voting in favor the resolution is declared carried. Ayes-5 (Arsenault, Goodspeed, Stevens, VanKeuren, Thomas) Nays - 0

Ms. Ferguson informed the Town Board that she had found one company to provide an estimate for lightning protection for the Town Hall and the Tannery Pond Community Center. The costs quoted were as follows: Town Hall \$3900.00 and Tannery Pond Community Center \$4250.00 for a total of \$8150.00. This estimate does not include any surge protection; Mr. Goodspeed suggested asking the Town's insurance carrier or an electrical contractor to recommend a dealer with a comprehensive surge and lightning protection system. Ms. Ferguson will do more research into this matter.

Supv. Thomas informed the Town Board that the Town will be receiving an additional \$9,947.70 in additional Occupancy Tax funding; there are two open contracts which will receive funding as the Town Board had agreed to fund their requests in full if additional funding was made available to the Town. The Town Board has received a request for Occupancy Tax funding from the Johnsbury Fish and Game Club which may be reviewed if there is sufficient additional funding.

Supv. Thomas informed the Town Board that he had attempted to contact Mr. Tim Leary, the appraiser recommended to perform the appraisal of the Town-owned Schlie parcel on Goodman Road, but there has been no reply from Mr. Leary as of yet.

Supv. Thomas informed the Town Board that the N.Y.S. Dept. of Environmental Conservation (D.E.C.) has responded to the request by the Town to assist in investigating various septic system complaints in the town. The D.E.C. suggested asking the Warren County Building & Code enforcement office and they had informed the N.Y.S. Dept. of Health of the problems. The D.E.C. also suggested that Dr. Rugge use the nuisance law and request assistance from Warren County; this is the plan of action which it is expected will be followed.

Supv. Thomas informed the Town Board that State Senator Elizabeth (Betty) Little requested that the Town Board consider passing a resolution suggesting that the water towers in the town would be a preferred site for cell towers.

#### RESOLUTION NO. 228

Mr. Arsenault presented the following resolution and moved its passage with a second from Mr. Goodspeed that the Town Board of the Town of Johnsburg considers the water towers in the Town of Johnsburg located on tax map parcel numbers (83.-2-46 and 66.-1-21) to be the preferred sites for cell towers in said Town. With all members voting in favor the resolution is declared carried. Ayes-5 (Arsenault, Goodspeed, Stevens, VanKeuren, Thomas) Nays - 0

#### NEW BUSINESS

Supv. Thomas informed the Town Board that N.Y.S. Assemblywoman Teresa Sayward will be conducting a mobile office visit on Monday August 20<sup>th</sup> from 4:00pm to 6:00pm at the Town Library, Town Hall, North Creek, NY.

Supv. Thomas asked if the Town Board wished to act upon the request read earlier in the meeting from Justice Carl vonCzoernig requesting that the Town Board authorize purchase of a second hand air conditioner for the justices' chambers in the Wevertown Community Center in consideration of the excessive heat in their chambers. Mr. Goodspeed asked which fund the purchase would be made from and Supervisors' Secretary Cherie Ferguson answered that it would be the buildings account. Mr. Stevens asked about conflict of interest as the seller was Ms. Ferguson; Town Attorney Jordan suggested having Accounts Clerk, Candace Lomax check into prices on comparable items.

#### RESOLUTION NO. 229

Mr. Goodspeed presented the following resolution and moved its passage with a second from Mr. Arsenault that the Town Board will table this item of discussion, the purchase of a second hand air conditioner for the justices' chambers in the Wevertown Community Center, until the next regular Town Board meeting on August 21. With all members voting in favor the resolution is declared carried. Ayes-5 (Arsenault, Goodspeed, Stevens, VanKeuren, Thomas) Nays - 0

The Town Clerk explained that no action by the Town Board was required on the Black Mountain Motel notification of the intention by the owners to renew their liquor license unless, the Town Board wished to challenge the renewal of the license. The Town Board took no action.

Supv. Thomas asked if the Town Board wished to act upon the request read earlier in the meeting from the Cheerful Cricket Nursery School, requesting space in the Tannery Pond Community Center for their 2007-2008 school year and also requesting permission to install cork strips to allow papers to be posted without damaging the walls. Mrs. VanKeuren asked if the installation of the cork strips should be cleared with the Tannery Pond Community Center Association.

## RESOLUTION NO. 230

Mr. Goodspeed presented the following resolution and moved its passage with a second from Mrs. VanKeuren that the Town Board allows the Cheerful Cricket Nursery School the use of two small meeting rooms on the lower floor as classrooms from 8:00am through 3:00pm on Tuesdays and Thursdays; and 11:00am to 3:00pm on Wednesdays for their school year from September 2007 through June 2008, with some additional dates for set up, graduation, and take down; the town Board conditionally approves the installation of cork strips with the approval of the Tannery Pond Community Center Association. With all members voting in favor the resolution is declared carried. Ayes-5 (Arsenault, Goodspeed, Stevens, VanKeuren, Thomas) Nays - 0

Supv. Thomas informed the Town Board following the receipt of the 2<sup>nd</sup> quarter payment of sales tax from Warren County which amounted to approximately \$187,000 that the amount received so far is about \$2,000.00 less than in 2006. Supv. Thomas noted that while the amount of sales tax received fluctuates each year, that the receipts seem to be on course to meet the budgeted projections.

Supv. Thomas informed the Town Board that Ms. Ann Deppe, Town Assessor, has received the final equalization rate from N.Y.S.; the rate is 2.15% which an 18% drop from the 2.65% rate of 2006. The equalization rate determines the full valuation of the Town. Ms. Deppe explained to the Supervisor that the drop is due to an increase of 19% in home sales. Ms. Deppe had also informed the Supervisor that the N.Y.S. Department of Taxation and Finance will be issuing rebate checks to those currently enrolled in the Enhanced Star Program; those already enrolled in the Enhanced Star Program do not need to apply. Those enrolled in the Basic Star Program will be mailed an application in early September; these applications need to be completed and returned to receive a rebate check. The last date to return the application is November 30, 2007.

Supv. Thomas distributed amendments to the 2007 Town of Johnsbury Budget and requested that the Town Board approve the appropriations and expenses involving Capital Projects accounts related to the audit required for the Ski Bowl Park Pavilion Grant; the establishment of an account for the improvements to the Wevertown parking lot; to increase revenues and expenses related to a Warren County Election Board grant for polling place access improvements; in the General Fund accounts to record revenues and appropriations for specific youth program grants (Rivendell Foundation \$2,000.00 and Warren County Youth Bureau \$900.00); in the Highway Fund accounts to re-appropriate unused 2006 Chips allocation; to increase revenues and appropriations to balance CHIPS allotment; and in the Library Fund to record revenues and expenses for air conditioning, lighting, and fans.

## RESOLUTION NO. 231

Mr. Arsenault presented the following resolution and moved its passage with a second from Mrs. VanKeuren:

Budget Amendments	August 7, 2007
Cap. Projects	
Appropriated Fund Balance	Appropriations
H599 \$2,000.00	H960 \$2,000.00

Ski Bowl Misc. H7110.26

To record the expense of a Ski Bowl Park Pavilion Grant audit.

H599 \$25,000.00 H960 \$25,000.00

Wevertown Municipal Parking H1620.26

To establish an account for improvements to the Wevertown parking lot per resolution # 193-2007.

Estimated Revenues

Appropriations

H510 \$9,406.48

H960

H3397 Public Safety Capital Grant H1620.26

To increase revenues and expenses related to a Warren County Election Board grant for NYS polling place access improvements.

General Fund

Donations to Youth Pgm A2070 Youth Program A7310.4

Estimated Revenues

Appropriations

A510 \$2,900.00

A960 \$2,900.00

To record revenues and appropriations for specific youth program grants.

Rivendell Foundation \$2,000.00-scholarships and programs.

Warren County Youth Bureau \$900.00-tennis equipment and lessons.

Planning

Estimated Revenues

Appropriations

(A510) \$10,000.00

(A960)

A2115.4 Tall Timbers

A8020.4

(A510) 1,400.00

(A960)

A2115.3 Top Ridge

A8020.4

Development fees

Highway Fund

State Aid Consolidated

Estimated Revenues

Appropriations

(DA510) \$38,833.39

(DA960)

DA3960

DA5112.2 Cap. Outlays

Reappropriate unused 2006 Chips allocation

State Aid Consolidated

Estimated Revenues

Appropriations

(DA510) \$3,200.24

(DA960)

DA3960

DA5112.2 Cap. Outlays

Increase revenues and appropriations to balance CHIPS allotment.

Library Fund

Estimated Revenues	Appropriations
(L510) \$16,637.00	(L960) \$33,275.00
Appropriated Fund Balance	
(L599) \$16,638.00	
L4840 16,637.00	L7410.4

To record revenues and expenses for air conditioning, lighting, and fans.

With all members voting in favor the resolution is declared carried. Ayes-5 (Arsenault, Goodspeed, Stevens, VanKeuren, Thomas) Nays - 0

Supv. Thomas distributed the Supervisor's Monthly Report, for the month of July 2007, to the members of the Town of Johnsburg Town Board.

Supv. Thomas distributed the Monthly Report of the Zoning Enforcement Officer, Mr. Edward Tuttle, for the month of July 2007, to the members of the Town of Johnsburg Town Board. Mr. Tuttle noted that there is no approved application for sign permits, he has created an application and requests approval from the Town Board. The Town Board asked that a copy of the application be forwarded to the Town Attorney for review.

Supv. Thomas asked, if the Town Board, having interviewed a candidate for the position of alternate member on the Planning Board, Mr. Steven Osterhout, earlier in the meeting, wished to act upon appointing a new alternate member on the Planning Board.

RESOLUTION NO. 232

Mr. Goodspeed presented the following resolution and moved its passage with a second from Mrs. VanKeuren that the Town Board having conducted an interview with the candidate for the position of alternate member on the Planning Board that the Town Board appoints Mr. Steven Osterhout as the alternate member on the Planning Board for a term to end on December 31, 2010. With all members voting in favor the resolution is declared carried. Ayes-5 (Arsenault, Goodspeed, Stevens, VanKeuren, Thomas) Nays – 0

PRIVILEGE OF THE FLOOR

Mr. Richard Armstrong asked for the total cost of maintaining Tannery Pond Community Center for a year. Mr. Goodspeed replied approximately \$52,000.00. Mr. Armstrong believed that the costs were higher than this and asked for a total of contract maintenance, electrical service, heat, insurance, general maintenance and cleaning. Mr. Robert Nettle asked for a report of user units and revenues of all Town buildings. Ms. Cherie Ferguson explained that while she did not have those records in hand currently, that there were approximately 670 days of use in the building and the revenue was approximately \$2000.00.

Mr. David McTerry, of T & T Sales, requested a copy of the bid submitted by Arrowhead Equipment for the Municipal Dump Body and Hoist Package; the Town Clerk replied that it

would be supplied the next day as there is no copier available at the Wevertown Community Center.

Mr. Goodspeed suggested reassembling the Planning Committee to look at additional changes to the Land Use Plan.

RESOLUTION NO. 233

Mr. Stevens presented the following resolution and moved its passage with a second from Mr. Goodspeed that the following certified bills which have been reviewed by the Board members be paid: General Fund- Warrant #15G/Claims #306-344; Highway Fund- Warrant #15H/Claims #154-165; North Creek Water Dist.- Warrant #14W/Claims#64-67; Library Fund- Warrant #8L/Claims#54-60. With all members voting in favor the resolution is declared carried. Ayes-5 (Arsenault, Goodspeed, Stevens, VanKeuren, Thomas) Nays - 0

Secretary to the Supervisor, Cherie Ferguson, questioned the payment of \$600.00 to Mr. Noah Dingman, son of Mrs. Ann Dingman, director of the Summer Youth Program. Town Attorney Jordan explained that as the work has been performed that Mr. Dingman is entitled to the payment, however, the Supervisor should discuss the ethics policy with Mrs. Dingman so that she will understand that in the future that a hiring which raises questions of nepotism should be made clear to the Supervisor prior to said hiring.

A motion to adjourn the meeting was presented by Mr. Goodspeed with a second from Mr. Stevens at 9:15pm. With all members voting in favor the resolution is declared carried. Ayes-5 (Arsenault, Goodspeed, Stevens, VanKeuren, Thomas) Nays – 0. Meeting Closed.

The next Regular Town Board meeting will be held at 7:00pm on August 21, 2007 at the Town Library, North Creek, NY

-----  
Prepared by William Rawson, Town Clerk