

**Minutes of the Town of Johnsbury Regular Board Meeting March 18, 2008
Held at the Town Hall (Library), North Creek, NY and an Executive Session to Interview
Candidates for a Vacancy on the Board of Assessment Review**

Minutes of the Executive Session of the Town Board of the Town of Johnsbury to be held on Tuesday, March 18, 2008 at 6:30pm at the Town Hall (Library), North Creek, NY for the purpose of conducting interviews for a vacancy on the Board of Assessment Reviews. The session was cancelled as there were no candidates to interview.

Minutes of the regular meeting of the Town Board of the Town of Johnsbury held on Tuesday March 18, 2008 at 7:00pm at the Town Library, North Creek, NY Supervisor Goodspeed called the meeting to order at 7:00pm; the pledge to the flag was led by Councilman Frank Morehouse, Jr.

Roll call showed the following persons present: Supv. Sterling Goodspeed; Town Councilmen/ Eugene Arsenault, Frank Morehouse, Jr., Arnold Stevens, and Ronald Vanselow; Town Clerk/ William Rawson.

Guests: On attached list

As there was only one week since the meeting of March 11, 2008, the minutes were not finished and ready for review by the Town Board.

CORRESPONDENCE:

1. A letter from Assemblywoman Teresa Sayward thanking the Town Board for its Resolution Number 43, adopted on February 21, 2008; she notes her strong support for the continued payment of property taxes by New York State on Forest Preserve Land.

COMMITTEE REPORTS:

OLD BUSINESS:

At the request of Mr. Robert Nettle, Supv. Goodspeed gave a brief overview of the discussion of the grant in the amount of \$8,500.00, from the Department of Environmental Conservation (DEC) for the purpose of improving fish habitats in the North Creek. David Wick, Director of Soil Conservation for the Warren County Department of Soil and Water, had been present to update the Town Board on the grant; Mr. Wick noted that the dam removal was listed in the grant application at the request of Mr. Robert Nettle. Mr. Wick stated that if the dam were to be removed that it would never be replaced due to the cost and the fact that the D.E.C. does not look with favor upon the building of a dam. Mr. Wick suggested setting up a measuring device with the batter boards not in place and it was determined that Mr. Wick would plan to negotiate with the D.E.C. and to perform the measurement tests and possibly perform the grant next year, as there was a two year limit plus six months for paperwork filing; he added that this allowed time for conducting the measurement study and the actual construction and/or demolition work. Mr. Nettle noted that in the interest of allowing more time for Mike Pratt, O.R.D.A. Manager of Gore Mt, to speak; he would speak to this issue during Privilege of the Floor.

Supv. Goodspeed recognized Mike Pratt, O.R.D.A. Manager of Gore Mt, to discuss an upgrading of the older (red) pavilion at the Ski Bowl Park which is used by O.R.D.A. as a base

lodge. Mike Pratt explained that the older (red) pavilion is substandard for use as a base lodge and that O.R.D.A. would like to use up to \$250, 000.00 from the National Grid grant to upgrade the building; Supv. Goodspeed noted that the grant amount is in flux and seems to be between \$130,000.00 and \$250,000.00. Mike Pratt explained that O.R.D.A. work crews could strip down the building and then extend the roof line while re-roofing to enlarge the building; other work would include a new ceiling, new toilets, a new entrance, as well as the electrical and heating system. Mike Pratt said that these improvements would allow time to seek more funding to construct a new Ski Hut. Mr. Robert Nessel questioned that the building could be upgraded at a cost of \$250, 000.00 and still meet specifications; Mike Pratt said that the upgrade would be to code. Mr. Nessel suggested that O.R.D.A. handle the maintenance costs as it had agreed to do with a rebuilt Ski Hut. Ms. Gina Archambeault, a student at Johnsbury Central School, suggested that the Town put the \$250, 000.00 toward building a new Ski Hut and only perform minimal repairs for use. Supv. Goodspeed noted that the cost for a new Ski Hut could be at least one million dollars and maybe more. Mr. Vanselow asked if the building was expected to be used long term; Mike Pratt answered that it was planned to be used for maintenance and ski patrol operations. Mr. Vanselow asked if this could be a long term Ski Hut replacement; Mike Pratt said that it would require even more expensive repairs and upgrades. Ms. Kelly Nessel asked who the grant money in question belonged to; Supv. Goodspeed answered that it was awarded to the Town. Supv. Goodspeed added that the only other possible Town contribution would be Highway employees to do some site work. Supv. Goodspeed noted that O.R.D.A. pays the utility costs during the winter and the Town has use of the building during the summer for the Youth Program. Mr. Stevens stated that he did not believe that the Town needed another building to maintain; the ongoing maintenance costs are the problem and he added that in all plans that he had seen the older (red) pavilion was to be demolished after the construction of the new pavilion and that he sees no reason for the existence of the building. Mr. Randy LaFountain of Johnsbury Youth baseball said that he did not understand putting money into that building. Mr. Stevens noted that while the funds under discussion are a grant, that it is still Town money. Ms. Heather Leigh, a student at Johnsbury Central School, agreed with Mr. Stevens adding that the ski patrol space at the O.R.D.A. Gore Mt Ski Center is very difficult to locate and access. Mr. Joseph LaRocque said that there was a need for a warming hut for skiing and tubing at the park. Supv. Goodspeed noted that with the advent of the planned longer lift in the park that there will be more people using the facility and that there should be a plan for this future event. Mr. Peter Olesheski, a member of the Ski Bowl Park Committee, said that the building is not good, and a new Ski Hut building is needed for the future; however, there is a current need for such a building in the park. Mr. Nessel agreed that there is a need for maintenance and ski patrol space and that in the conceptual plans that such space does not exist. Mr. Olesheski noted that there is a partnership between O.R.D.A. and the Town in operating the park and that a solution should be found. Supv. Goodspeed noted that he saw a good cross section of local residents and tourists in the warming hut recently and that this was a hopeful sign; he added that Mike Pratt will be asked back for further discussion at a meeting in April.

Supv. Goodspeed informed the Town Board that Mr. Edward Tuttle, Zoning Enforcement Officer was to have met with Town Attorney Jordan during the week for a discussion of properties in town with health related issues and possible solutions and return to report to the Town Board at this meeting; Attorney Jordan was unable to attend the meeting as scheduled and it is expected that this issue will be scheduled for the April 1st Town Board meeting.

Supv. Goodspeed informed the Town Board that the New York State Department of Environmental Conservation (D.E.C.) conducted a Public Hearing at the main lodge at the Ski Center at Gore Mt. on March 4, 2008 at 7:00pm. The subject of the Public Hearing was to obtain public input and response regarding the Environmental Impact Statement on the Gore Interconnect with the Ski Bowl Park. As the weather was inclement at that date and time the D.E.C. will conduct an additional public hearing on the topic, this hearing is scheduled to be held on March 25, 2008, at 2:30pm, at the D.E.C. offices at 625 Broadway, Albany, NY.

Supv. Goodspeed updated the Town Board on the meeting of the Budget Advisory group on February 15th at the Wevertown Community Center at 4:00pm. Supv. Goodspeed explained that the meeting had been about one hour and forty-five minutes in length and about twelve of the group in attendance wished to continue in a small group format. The group discussed costs associated with Town buildings, as well as other areas.

Supv. Goodspeed informed the Town Board that a large portion of the April 1st regular Town Board meeting will be dedicated to a discussion of the Ski Bowl Park grant.

Supv. Goodspeed reminded the Town Board that as a result of travel requirements, financial questions and insurance issues that the little league teams of the Town of Johnsbury were contemplating withdrawal from the Northern Adirondack Little League. Mr. Peter Olesheski explained that there has been youth baseball in the Town of Johnsbury for the last fifty-two years; locally youth baseball has formed a committee to organize local youth baseball and there has been at least one public meeting and a vote to withdraw from "Little League" and organize a schedule with Warrensburg youth baseball. Mr. Olesheski said that Johnsbury youth baseball is requesting that the Town Board allow the youth baseball to organize under the auspices of the Youth Committee and that the Town obtains insurance for the youth baseball. Mr. Randy LaFountain added that Warrensburg has approved the plan to schedule games with Johnsbury and that as ties with Northern Adirondack Little League have been severed without the support of the Town Board youth baseball in the Town of Johnsbury will end; he also said that Johnsbury youth baseball would be willing to pay for the insurance. Mr. Morehouse asked if the Youth Committee was in agreement with this request; Mr. Olesheski said that the Youth Committee was approached up to two years ago regarding this issue and offered support. Mr. Stevens asked that if the joint operation with Warrensburg does not work out would there be a reattachment to Northern Adirondack Little League; Mr. Olesheski said that there are other options but that rejoining Northern Adirondack Little League is probably not one that would happen without trying others first. Supv. Goodspeed said that he had spoken with the Town insurance provider; the cost for adding the youth baseball was estimated to be between zero and three hundred dollars. Supv. Goodspeed asked that the Town board approve the plan in concept and allow the details to be worked through with Town Attorney Jordan.

RESOLUTION NO. 64

Mr. Stevens presented the following resolution and moved its passage with a second from Mr. Vanselow that following discussions with and the approval of the Town Attorney that the Town Supervisor is authorized to execute an agreement between the Town of Johnsbury and "Johnsbury Youth Baseball" to place youth baseball under the auspices of the Johnsbury Youth Commission; and further that the Town will obtain insurance for "Johnsbury Youth Baseball" and that "Johnsbury Youth Baseball" will pay for the added insurance expense if one is incurred.

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

Supv. Goodspeed asked Mr. Vanselow to give the Town Board an update on the N.Y.S.E.R.D.A. energy audit. Mr. Vanselow reminded the Town Board that on February 7, 2008 by Resolution Number 28 an energy audit of four Town buildings had been authorized; the four buildings to be audited are the Town Hall, Highway Garage, Wevertown Community Center and Tannery Pond Community Center. N.Y.S.E.R.D.A. was involved in the construction of Tannery Pond Community Center and will not perform an audit of that building; N.Y.S.E.R.D.A. did suggest a discussion of the heating/cooling system with the installation contractor, Thermal Associates. Following discussions with N.Y.S.E.R.D.A. an auditing contractor has been appointed by that agency and a voucher for the audits will be submitted to the Town; if the improvements suggested in the audit conclusions are implemented the cost of the audit will be refunded by N.Y.S.E.R.D.A.. The audits are expected to take between two and three hours per building with the results arriving in four to six weeks. Mr. Vanselow also contacted Thermal Associates about the Tannery Pond Community Center to discuss the heating/cooling system in that building. Thermal Associates owner, Marty Devitt, and upon reflection he asked if the building was on a “demand meter” billing; Accounts Clerk Candace Lomax verified that Tannery Pond Community Center was on a demand meter. Mr. Devitt suggested some small savings may be achieved by regulating the compressors and changing some use patterns.

Supv. Goodspeed recognized Town Clerk William Rawson for the purpose of asking the Town Board for authorization to attend the N.Y.S. Town Clerk Convention April 27th thru 29th at Saratoga Springs. At the request of Supv. Goodspeed the Town Clerk would take the test to become a Notary Public; the class is on April 27th and the test is on April 29th. Mr. Robert Freeman will speak on the subject of the Freedom of Information Law on April 28th. The Town Clerk estimates the following expenses to the Town for attending the convention which also has sessions regarding tax collection, dog licensing, marriage license issuing and many other educational opportunities:

Costs:	
Notary Public Course	\$50.00
Conference	\$85.00
Room (2 Nights)	\$210.00 (Approx)
Mileage	\$45.00
Meals	\$30.00
Total	\$420.00

The room package at main hotel (including meals) is \$431.00 plus the other costs (\$180.00) would total over \$600.00; the Town Clerk requests that the Town Board authorize his attendance at the convention staying in a separate accommodation form the main hotel and which can be paid from the Town Clerk budget line and is not an added, non-budgetary expense.

RESOLUTION NO. 65

Mr. Arsenault presented the following resolution and moved its passage with a second from Mr. Morehouse that the Town Board does authorize the Town Clerk to attend the educational N.Y.S. Town Clerk Convention April 27th thru 29th at Saratoga Springs at an anticipated cost to

the Town of approximately \$420.00 and not to exceed \$450.00. With 5 members voting in favor the resolution is declared carried. Ayes-5 (Arsenault, Morehouse, Stevens, Vanselow, Goodspeed) Nays – 0

The Town Clerk requested that the Town Board authorize the distribution of the 2008 Town of Johnsbury Transfer Station Clean-up Cards; Supv. Goodspeed asked if the Town Board wished to act upon this request. The Town Board made no changes to the items on the clean up cards for 2008.

RESOLUTION NO. 66

Mr. Arsenault presented the following resolution and moved its passage with a second from Mr. Vanselow to authorize the Town Clerk to distribute of the 2008 Town of Johnsbury Transfer Station Clean-up Cards effective April 1, 2008. With 5 members voting in favor the resolution is declared carried. Ayes-5 (Arsenault, Morehouse, Stevens, Vanselow, Goodspeed) Nays – 0

NEW BUSINESS

Supv. Goodspeed informed the Town Board that, as a result of national economic issues, such as major increases in basic food and energy costs, he planned to attempt to form a discussion group with members from the Town Board, the North Creek Rotary and the North Country Outreach to look forward and plan for local responses in case of a national economic crisis. Some of the issues which he wishes to plan for are an inventory of people with needs and transportation to Glens Falls for medical care. Supv. Goodspeed asked for volunteers for this group; Mr. Vanselow volunteered for the group.

Supv. Goodspeed informed the Town Board that he had met with Mr. Larry Carr, a member of the Town of Johnsbury Library Board of Trustees, to discuss adding a second entrance to the library. This entrance would be in the rear of the building near the parking lot which is north of the Town Hall building. Supv. Goodspeed noted that a drawing of the possible project and an estimate of the costs was in the Town Board members' packets. Mr. Carr believes that approximately one half of the estimated cost of \$11,439.00 could be obtained through a Southern Adirondack Library System (S.A.L.S.) grant. Mr. Vanselow suggested funding the match through in kind services and volunteer services; Supv. Goodspeed noted that there is no current budget line for the funding. Mrs. Kelly Nessel suggested pursuing a grant to fund the match and said that she would look into that possibility.

RESOLUTION NO. 67

Mr. Vanselow presented the following resolution and moved its passage with a second from Mr. Arsenault that the Town Board authorize the conceptual exploration of a second entrance to the Town of Johnsbury Library with the Southern Adirondack Library System, at present, however, currently no funding is authorized for said project. With 5 members voting in favor the resolution is declared carried. Ayes-5 (Arsenault, Morehouse, Stevens, Vanselow, Goodspeed) Nays – 0

Supv. Goodspeed informed the Town Board on the North Country Ministry is seeking funds for a generator that will allow their resident motel to be used as an emergency site during lengthy power outages. A total of \$10,000.00 has been raised toward the goal of \$25,000.00; Supv. Goodspeed said that State Senator Elizabeth (Betty) O'C. Little was interested in the project and

may try to help by channeling funds through the Town of Johnsbury. Mrs. Kelly Nettle said that the cost seemed high and asked how much research had gone into obtaining a price; she added that the Emergency Squad had an installed cost of \$13,000.00 for a generator. Supv. Goodspeed said that early next week he would be meeting with the North Country Ministry.

Supv. Goodspeed informed the Town Board that there had been an emergency meeting of the Warren County Board of Supervisors on March 12th. At this meeting Warren County Treasurer Francis O'Keefe had informed the Board of Supervisors that in 2003 the Reserve Fund balance was \$23 million dollars and that it currently was \$1 million dollars; the debt service in 2000 was \$4.5 million dollars and the estimated total bonding for 2008 has risen to \$28 million dollars with a total debt service of \$45 million dollars. Mr. Vanselow asked if this total included both the new county jail and the social services building; Supv. Goodspeed answered that the total included both buildings. Supv. Goodspeed said that the Town Board should expect rising county taxes and that 2009 will be a difficult budget year.

PRIVILEGE OF THE FLOOR

Mr. Robert Nettle spoke about the Department of Environmental Conservation (DEC) grant for the purpose of improving fish habitats in the North Creek. Mr. Nettle stated that the creek should be restored to its historical character as a mountain stream with the dam removed to allow trout to swim upstream to the Roaring Brook area in the Chatiemac area. Mr. Nettle explained that he had often removed beaver construction as well as studying the water height in the swimming area last fall; the water level in the swimming area did lower, but he said that it remained about one and one-half feet above the stream level. Mr. Nettle contends that springs and some additional pumping in of stream water will maintain adequate levels to allow swimming in the area. Mr. Peter Olesheski said that the Department of Environmental Conservation (DEC) policy is to remove as many dams and weirs as possible and urged that if the Town Board decides in favor of dam removal that it be positive and informed about the action as the dam or weir will never be allowed to be reinstalled. Mr. Olesheski reminded the Town Board that Mr. David Wick, Director of Soil Conservation for the Warren County Department of Soil and Water had offered to conduct a study on the water levels and return to the Town Board with the results that will allow the Town Board to make an educated and possibly irreversible decision regarding the dam; Mr. Olesheski urged the Town Board to allow Mr. Wick to conduct the study. Mr. Nettle questioned if there was enough time to conduct the study and perform the work for the grant; Mr. Olesheski replied that Mr. Wick had said that there was a two year cycle with the grant and that time was not a problem. Mr. Vanselow and Mr. Stevens agreed with Mr. Olesheski's memory of the discussion from the previous meeting. Mr. Nettle asked what the purpose of the dam was; Mr. Stevens answered that in the original plan the berm was permeable and that the weir was in place to maintain the water level in the swimming area. Supv. Goodspeed noted that the DEC has noticed public hearings for the purpose of discussing modifications to the dam regulations.

Supv. Goodspeed reminded the Town Board that the second half of the April 1st meeting would be dedicated to a discussion of the Ski Bowl Park grant.

RESOLUTION NO. 68

Mr. Vanselow presented the following resolution and moved its passage with a second from Mr. Morehouse that the following certified bills which have been reviewed by the Board members be paid: General Fund- Warrant #6G/Claims #114-121; Highway Fund- Warrant

#6H/Claims #59-65; North Creek Water Dist.- Warrant #6W/Claims#28-30. With 5 members voting in favor the resolution is declared carried. Ayes-5 (Arsenault, Morehouse, Stevens, Vanselow, Goodspeed) Nays - 0

Mr. Arsenault presented a motion and moved its passage with a second from Mr. Morehouse that the Town Board enters executive session for the purpose of discussing contract negotiation issues involving Front Street Mountain Development at 9:10pm. With 5 members voting in favor the motion is carried. Ayes-5 (Arsenault, Morehouse, Stevens, Vanselow, Goodspeed) Nays - 0

Mr. Vanselow presented a motion and moved its passage with a second from Mr. Morehouse that the Town Board adjourns the executive session on Personnel issues at 10:00pm. With 5 members voting in favor the motion is carried. Ayes-5 (Arsenault, Morehouse, Stevens, Vanselow, Goodspeed) Nays - 0

There were no resolutions or actions proceeding from the executive session.

A motion to adjourn the meeting was presented by Mr. Arsenault with a second from Mr. Stevens at 10:01pm. With 5 members voting in favor the motion is carried. Ayes-5 (Arsenault, Morehouse, Stevens, Vanselow, Goodspeed) Nays - 0

The next regular Town Board meeting will be held at 7:00pm on April 1, 2008 at the Wevertown Community Center, Wevertown, NY.

Prepared by William Rawson, Town Clerk