

**Minutes of the Town of Johnsbury Regular Board Meeting November 17, 2009**  
**Held at 7:00pm at the Town of Johnsbury Library, North Creek, NY**

Minutes of the regular meeting of the Town Board of the Town of Johnsbury held on Tuesday, November 17, 2009 at 7:00pm at the Town Library, North Creek, NY Supervisor Goodspeed called the meeting to order at 7:00pm and 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

**RESOLUTION NO. 210**

Mr. Stevens presented the following resolution, and moved its passage with a second from Mr. Morehouse, to accept the minutes of the November 5, 2009 regular Town Board meeting as written. With 5 members voting in favor, the resolution is declared carried. Ayes-5 (Arsenault, Morehouse, Stevens, Vanselow, Goodspeed) Nays - 0

**RESOLUTION NO. 211**

Mr. Arsenault presented the following resolution, and moved its passage with a second from Mr. Morehouse, to accept the minutes of the November 5, 2009 Public Hearing on the 2010 Town of Johnsbury Budget and the Public Hearing on the Johnsbury Fire Protection Contracts for the Johnsbury Fire Protection District as written. With 5 members voting in favor, the resolution is declared carried. Ayes-5 (Arsenault, Morehouse, Stevens, Vanselow, Goodspeed) Nays - 0

**CORRESPONDENCE:**

1. A letter from New York State Regional Traffic Engineer Mark Kennedy acknowledging receipt of the Town of Johnsbury request for a speed limit reduction on Harvey Road and noting a traffic study will be conducted on that area.
2. A letter from Hudson Headwater Health Network requesting that the Town Board approve a new contract regarding general employee physicals and a Department of Transportation physicals.
3. A letter from Ms. Cherie Lasher from Parsons Child and Family Center requesting the use of the Wevertown Community Center as a place to work with a special needs child from North Creek.

**COMMITTEE REPORTS:**

**OLD BUSINESS:**

Supv. Goodspeed informed the Town Board that he has received the check for the final payment for the Ski Hut fire claim, in the amount of \$31,000.00. Supv. Goodspeed added that he expects to meet with ORDA Manager Mike Pratt in the near future to discuss plans for the old (red) pavilion which is being renovated to replace the Ski Hut.

Supv. Goodspeed said that the Town Board had received an Agreement to Spend Highway Funds (284) submitted by Highway Superintendent Daniel Hitchcock for the purpose of amending previous 284 Agreements regarding work on Barney Hill Road, Crane Mt. Road and Bartman Road; he asked that the Town Board approve the Agreement to Spend Highway Funds (284) regarding work on Barney Hill Road, Crane Mt. Road and Bartman Road.

#### RESOLUTION NO. 212

Mr. Stevens presented the following resolution, and moved its passage with a second from Mr. Arsenault, to approve of the Agreement to Expend Town Highway Funds: involving Barney Hill Road repairs; repairing the flooded section of Crane Mt. Road, and work on the Bartman Road turnaround. With 5 members voting in favor, the resolution is declared carried. Ayes-5 (Arsenault, Morehouse, Stevens, Vanselow, Goodspeed) Nays - 0

Supv. Goodspeed noted that while the Town Board had discussed the planned discontinuing of the curbside recycling collection and the planned raising of the cost of disposing of a standard size bag of trash to three dollars, there had been no actual resolution to accomplish either measure; Supv. Goodspeed asked that the Town Board approve such a measure by resolution.

#### RESOLUTION NO. 213

Mr. Arsenault presented the following resolution and moved its passage with a second from Mr. Morehouse that effective January 1, 2010 the cost for trash stickers will be increased to three dollars (\$3.00) each, and the cost per bag to dispose of a 32 gallon bag of trash will cost three dollars (\$3.00); and further, effective January 1, 2010 that the Town of Johnsbury will cease curbside collection of recyclables; it is noted that this does not suspend Local Law #1 of 1991 establishing mandatory recycling in the Town of Johnsbury. With 5 members voting in favor, the resolution is declared carried. Ayes-5 (Arsenault, Morehouse, Stevens, Vanselow, Goodspeed) Nays - 0

Supv. Goodspeed asked that the Town Board also authorize the planned expenditure of an additional nine thousand dollars for turnout gear; this amount to be equally divided among the five fire companies in the Town of Johnsbury, excluding the North Creek Fire Company.

#### RESOLUTION NO. 214

Mr. Morehouse presented the following resolution and moved its passage with a second from Mr. Stevens that the Town Board of the Town of Johnsbury authorizes the expenditure, in the budget year of 2010, as a portion of the 2010 Johnsbury Fire Protection Contract for the Johnsbury Fire Protection District, that the amount of nine thousand dollars be divided among the following companies: North River Vol. Fire Co., Garnet Lake Vol. Fire Co., Bakers Mills/Sodom Vol. Fire Co., Johnsbury Vol. Fire Co., Wevertown Vol. Fire Co., and Riverside Vol. Fire Co., expressly for the purchase of new turnout gear to be compliant with federal and OSHA requirements. With 5 members voting in favor, the resolution is declared carried. Ayes-5 (Arsenault, Morehouse, Stevens, Vanselow, Goodspeed) Nays - 0

#### NEW BUSINESS

Supv. Goodspeed invited Ms. Emily Stanton, ORDA Marketing Manager, to update the Town Board on the latest developments at Gore Mt. Ms. Stanton explained that ORDA planned to make snow tonight and tomorrow night and hope to be able to open November 27. ORDA has built a new terrain park and opened new trails in the Burnt Ridge area; Burnt Ridge is the connector area between the North Creek Ski Bowl and the rest of Gore Mountain's terrain. The new glades, Cirque Glades, will be the longest in the East. The Interconnect is on schedule and the renovated pavilion in the Ski Bowl Park will be ready for this season. Ms. Stanton said that the Town of Johnsbury days are scheduled and that there are plans for a 1<sup>st</sup> Night celebration. Ms. Stanton said that the shuttle, a collaborative effort between the North Creek Business Alliance and ORDA, will begin operating weekends and holidays during ski season. The shuttle will connect Main Street, North Creek, the Ski Bowl and Gore Mt. and it is expected that the round trip will take about forty five minutes. The shuttle operation is to be paid for through advertising, twelve of fourteen advertising spots are filled and an application for Occupancy Tax funding has been filed. Mr.

David Bulmer added that this was a good quality shuttle vehicle with inside ski racks. Also, North Creek will be established as a stop for the Trailways Bus Company; skiers can purchase bus and lift tickets with the delivery of passengers to the North Creek Railway Depot area and the pickup at Gore Mt. Ms. Stanton said that Warren County DPW Supt. William Lamy has agreed to keep the road to the North Creek Railway Depot plowed. Supv. Goodspeed said that skiers should be able to ski to the Ski Bowl and ride the shuttle to Main Street or back to Gore; Ms. Stanton said that the shuttle should make it easy to get to Main Street from Gore Mt. for lunch and shopping and the Interconnect Ski Trail will be opened when the Ski Patrol determines that there is sufficient snow. There is no snow making on the Eagles Nest Trail this year.

Supervisor Goodspeed informed the Town Board that he had received the annual Employee's Physical contract from the Hudson Headwaters Health Network. The current cost to the Town for an employee physical is \$65.00; the cost for an employee physical under the proposed contract will be \$99.40.

#### RESOLUTION NO. 215

Mr. Stevens presented the following resolution and moved its passage with a second from Mr. Arsenault to authorize the Town Supervisor to sign the Employee's Physical contract with the Hudson Headwaters Health Network effective from September 1, 2009 through August 31, 2011, at a cost to the Town of \$99.40 per employee examination and \$137.00 per DOT physical. With 5 members voting in favor, the resolution is declared carried. Ayes-5 (Arsenault, Morehouse, Stevens, Vanselow, Goodspeed) Nays - 0

Supv. Goodspeed explained that he had been informed by Mrs. Kelly Nettle of the Occupancy Tax Committee that their report will be delayed until the Town Board meeting of December 1.

Supv. Goodspeed explained that the new MVP Preferred High Deductible EPO health insurance plan will become effective December 1, 2009 and he asked the Town Board to authorize the placement of two hundred and fifty dollars (\$250.00) in the H.S.A. (Health Savings Account) for employees with an individual policy and five hundred dollars (\$500.00) in the H.S.A. for employees with a two person or family policy as the initial payment into the account towards the fifteen hundred (\$1500.00) for employees with an individual policy and three thousand dollars (\$3000.00) for employees with a two person or family policy.

#### RESOLUTION NO. 216

Mr. Arsenault presented the following resolution, with a second from Mr. Morehouse, to authorize the placement of two hundred and fifty dollars (\$250.00) in the H.S.A. (Health Savings Account) for employees with an individual policy and five hundred dollars (\$500.00) in the H.S.A. for employees with a two person or family policy. With 5 members voting in favor, the resolution is declared carried. Ayes -5 (Arsenault, Morehouse, Stevens, Vanselow, Goodspeed) Nays – 0

Supervisor Goodspeed recognized Mr. Mac Crikelair to update the Town Board on the Front Street Mountain Development project next to the Ski Bowl Park. Mr. Crikelair explained that the first construction phase of the project has begun; he added that that, using reasonable caution, people could hike in to view the project. Mr. Crikelair said that there were some small scrap pieces of wood that are untreated and free of nails which he offered to the public. Mr. Crikelair asked the Town Board for permission to construct a small bin near the Town of Johnsburg Highway Garage to hold the wood.

#### RESOLUTION NO. 217

Mr. Arsenault presented the following resolution, with a second from Mr. Stevens, to give permission to Front Street Mountain Development to construct a small bin near the Town of Johnsbury Highway Garage to hold small scrap pieces of wood that are untreated and free of nails which Front Street Mountain Development has offered to the public for personal use. With 5 members voting in favor, the resolution is declared carried. Ayes -5 (Arsenault, Morehouse, Stevens, Vanselow, Goodspeed) Nays – 0

Mr. Crikelair asked the Town Board for permission to dig a trench line through and under the Ski Bowl Road for the purpose of laying a power line to the Front Street Mountain Development project beneath the road. Supv. Goodspeed asked the time frame for this power line project; Mr. Crikelair said that he hoped to have it under way with National Grid within one month; he added that National Grid will not move forward without an approval from the Town of Johnsbury to lay the line beneath Ski Bowl Road. Supv. Goodspeed made a motion to allow the work; Mr. Stevens asked that the agreement be subject to approval by the Town Attorney and Town Highway Superintendent and Supv. Goodspeed added the requested language to his motion. Mr. Vanselow asked if this power line could be construed as a utility easement and an approval not be needed. In light of National Grid's refusal to move forward without an approval this seems unlikely. Mr. Crikelair asked how long it should be before he heard from the Town Attorney; Supv. Goodspeed replied that it should not take long for a review.

#### RESOLUTION NO. 218

Supv. Goodspeed presented the following resolution, with a second from Mr. Morehouse, that the Town Supervisor be allowed to sign an authorization to allow National Grid to lay a power line to the Front Street Mountain Development project beneath the Ski Bowl Road; and further, that it will be included that the entire cost of the power line installation will be borne by Front Street Mountain Development; and further that the authorization agreement will be subject to the approval of the Town Attorney and Town Highway Superintendent. With 5 members voting in favor, the resolution is declared carried. Ayes -5 (Arsenault, Morehouse, Stevens, Vanselow, Goodspeed) Nays – 0

Supv. Goodspeed asked the Town Board if they wished to act upon the request from Ms. Cherie Lasher, of the Parsons Child and Family Center, read earlier in the meeting, requesting that the Town Board allow her the use of the Wevertown Community Building for the purpose of assisting a conducting an educational program with a special needs child from North Creek on Thursday afternoons between 4:00pm and 5:00pm on an ongoing basis. Ms. Cherie Ferguson, Secretary to the Supervisor, noted that the dates were generally available.

#### RESOLUTION NO. 219

Mr. Arsenault presented the following resolution and moved its passage with a second from Mr. Vanselow to allow Ms. Cherie Lasher, of the Parsons Child and Family Center, read earlier in the meeting, requesting that the Town Board allow her the use of the Wevertown Community Building for the purpose of assisting a conducting an educational program with a special needs child from North Creek on Thursday afternoons between 4:00pm and 5:00pm on an ongoing basis. With 5 members voting in favor the resolution is declared carried. Ayes-5 (Arsenault, Morehouse, Stevens, Vanselow, Goodspeed) Nays – 0

Supv. Goodspeed recognized Mr. David Bulmer to update the Town Board on Gore Mt. Region/Town of Johnsbury Chamber of Commerce information; Mr. Bulmer informed the Town Board that the Chamber would be conducting a meeting at the Copperfield Inn tomorrow night (November 18) on the branding project.

Supv. Goodspeed noted that he has had Town Attorney Jordan reviewing the possibility of a local law for sidewalk clearing; the problem is targeting a specific portion of the Town. Supv. Goodspeed noted that he has received some negative comments, especially regarding senior citizens, about a Town-wide decision based on such a localized issue; he added that Warren County Department of Public Works Supt. William Lamy has said that he will try to help with this. Mr. David Bulmer, of the Gore Mt. Region/Town of Johnsbury Chamber of Commerce replied that this was a cost of living in a ski town.

#### PRIVILEGE OF THE FLOOR

Mr. David Bulmer suggested that the Town Board request a uniform speed limit throughout the hamlet of North Creek; Supv. Goodspeed said that he will look into it.

Mr. Robert Nettle informed the Town Board that he had broken through the beaver dam on North Creek and planned to start work again on the trench line tomorrow. Mr. Nettle said that he was pleased with the cooperation between ORDA and the Town on the Ski Hut (old or red pavilion) renovation as it is good both for skiers and tubing people and the area children in the summer. Mr. Nettle added that he was happy with the landscaping between the new pavilion and the tubing hill. Supv. Goodspeed said that it will be good to have the space available for the Summer Youth Program.

Ms. Emily Stanton said that Warren County has reevaluated its policy on advertising during ski season and will now use the ski center names in their advertising; Supv. Goodspeed replied that this was a historic problem and that a recent opinion from the Warren County Attorney states that the ski centers are cooperative and not competitive in their advertising and therefore, can be listed in Warren County advertising.

Mr. David Bulmer said that Warren County Tourism, the Lake George Chamber of Commerce and the Adirondack Museum are coming to the Gore Mt. Region/Town of Johnsbury Chamber of Commerce branding meeting. Mr. Bulmer asked about the Gore Mt. Region/Town of Johnsbury Chamber of Commerce putting advertising in the kiosk in Lake George; it was decided that as the Town had spent Occupancy Tax funds on the kiosk project and had use of an area that this would be a good use of the Town space and Mr. Bulmer will look further into this. Mr. Bulmer added that even the Town of Lake George Chamber of Commerce has agreed that Warren County Tourism is too Lake George centered. Mr. Bulmer complained that the request for information for the seasonal guide arrived with too short a time to the deadline to put together a section; Supv. Goodspeed said that there may be some improvement after January. Mr. Bulmer asked if two positions in Warren County Tourism were to be filled; Supv. Goodspeed replied that one position was filled and one is not expected to be filled.

Mr. Vanselow asked if Dynamite Hill was to be included in the advertising; Ms. Emily Stanton replied that it was.

Mr. Vanselow said that he would like to look into the Animal Control Officer position and reports at a future meeting.

#### RESOLUTION NO. 220

Mr. Stevens presented the following resolution and moved its passage with a second from Mr. Arsenault that the following certified bills which have been reviewed by the Town Board members be paid: General Fund- Warrant #22G/Claims #428-450; Highway Fund- Warrant #22H/Claims #221-228; North Creek Water Dist.- Warrant #22W/Claims#80-84; Capital Project Funds-Warrant #11CPF/Claims #20-22; Library Fund Warrant #12L/Claims #77-81. With 5 members voting in favor the resolution is declared carried. Ayes-5 (Arsenault, Morehouse, Stevens, Vanselow, Goodspeed) Nays - 0

A motion to adjourn the meeting was presented by Mr. Arsenault with a second from Mr. Morehouse at 8:03pm. With 5 members voting in favor the resolution is declared carried. Ayes-5 (Arsenault, Morehouse, Stevens, Vanselow, Goodspeed) Nays - 0

The next regular Town Board meeting will be held at 7:00pm on Tuesday, December 1, 2009 at the Wevertown Community Center, Wevertown, Warren County, New York.

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Prepared by William Rawson, Town Clerk