

**Minutes of the Town of Johnsbury Regular Board Meeting February 3, 2009
Held at the Wevertown Community Center, Wevertown, NY**

Minutes of the regular meeting of the Town Board of the Town of Johnsbury held on Tuesday, February 3, 2009 at 7:00pm at the Wevertown Community Center, Wevertown, 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. 37

Mr. Vanselow presented the following resolution, with a second from Mr. Arsenault, to accept the minutes of the January 20, 2009 regular Town Board meeting as written. With all members voting in favor, the resolution is declared carried. Ayes-5 (Arsenault, Morehouse, Stevens, Vanselow, Goodspeed) Nays - 0

CORRESPONDENCE:

1. A letter from Mrs. Kelly Nettle, Youth Committee member informing the Town Board of Youth Committee after school activities in conjunction with the school and the possibility of additional insurance costs attached to these activities.

Supv. Goodspeed explained that the insurance rider for cross country skiing as mentioned in the letter was quoted at \$500.00 and added that he was looking into a blanket policy for all the after school activities. Supv. Goodspeed said that Sect. Cherie Ferguson would report to the Town Board on insurance options at the next meeting.

COMMITTEE REPORTS:

OLD BUSINESS:

SPECIAL PRESENTATION:

Supv. Goodspeed informed the Town Board that Matt Klippel and Adam Hyde were present to show an informational video which they made for the North Creek Business Alliance. The video was shown. Supv. Goodspeed said that the presentation was tremendous job and a valuable tool for promoting the Town of Johnsbury and the hamlet of North Creek. Supv. Goodspeed added that the video was funded through Occupancy Tax. Mr. Joel Beaudin, of both the Copperfield Inn and the North Creek Business Alliance, explained that he was happy to have younger people such as Matt and Adam involved in the North Creek Business Alliance. Matt Klippel told the Town Board that the video would be streamed at both the Main Lodge and the North Woods Lodge at Gore Mt. by the next weekend. Mr. Klippel added that the video could be easily expanded to include additional businesses and seasons. Supv. Goodspeed suggested that the video be shown at the "Xtravaganza" at the Ski Bowl Park on February 8 and at the 75th Anniversary of the 1st Ski Train in March.

Supv. Goodspeed made recommendations to the Town Board regarding Occupancy Tax funding requests as recommended by the Occupancy Tax Committee currently chaired by Ms. Kelly Nettle. Supv. Goodspeed suggested that the Town Board adopt all requests recommended

by the Occupancy Tax Committee at fifty percent of the amounts recommended by the committee with the balance to be tabled until the next meeting. Mr. Joel Beaudin asked the reason for this suggested funding proposal; Supv. Goodspeed replied that while he wished to open the door for funding the recommended projects that some of the other requests including town items will lack funding and that he wished to address these items. Mr. David Bulmer said that one half funding may cause additional problems later and that some recommended projects may fail due to a lack of funding; Supv. Goodspeed agreed that some groups may abandon projects if full funding is not made available. Mr. Arsenault asked Supv. Goodspeed when he expected to revisit this question; Supv. Goodspeed answered he planned to revisit the issue at the next meeting on February 24. Supv. Goodspeed asked for a resolution from the Town Board to approve his proposal.

RESOLUTION NO. 38

Mr. Arsenault presented the following resolution and moved its passage with a second from Mr. Morehouse to adopt all requests recommended by the Occupancy Tax Committee at fifty percent of the amounts recommended by the committee with the balance of the funding to be tabled until the next meeting, February 24, 2009. 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 that he has discovered that in the Occupancy Tax contracts that there is no deadline for the submission of reimbursement requests by the contracting group. Supv. Goodspeed said that this can cause bookkeeping problems due to the late filing of reimbursement requests. Supv. Goodspeed suggested amending the Occupancy Tax contracts to include language that requires a reimbursement request to be made within thirty-one days following the project or by January 31, whichever is earlier.

RESOLUTION NO. 39

Mr. Stevens presented the following resolution and moved its passage with a second from Mr. Vanselow that the Occupancy Tax contracts be amended to include language that requires a reimbursement request to be made within thirty-one days following the project or by January 31, whichever is earlier. With 5 members voting in favor the resolution is declared carried. Ayes-5 (Arsenault, Morehouse, Stevens, Vanselow, Goodspeed) Nays - 0

Supv. Goodspeed next updated the Town Board on the cell tower issue. Supv. Goodspeed explained that he will be meeting with Town Attorney Tony Jordan on Friday to discuss problems with the preferred site for a cell tower at the transfer station. According to Town Attorney Jordan this property is park land and it could take up to two years to de-map this area. Supv. Goodspeed said that other sites were being reviewed, especially those with existing structures as this would assist with Adirondack Park Agency regulations; he noted that if the site is not owned by the Town that a potential revenue stream could be lost. Mr. Joseph LaRocque asked about the Fire House in North Creek; it has been examined and has line of site issues. Mr. Morehouse asked about the school; Supv. Goodspeed was unsure about this site. Mrs. Kelly Nettle asked about the towers on the ski lift parcel; Supv. Goodspeed replied that this parcel would be viewed as park land by state government. Mr. David Bulmer asked why Barton Mines hasn't looked into this; Supv. Goodspeed did not know about Barton Mines. Mr. Edward Milner suggested the steeple of the North Creek Methodist Church. Mr. Vanselow asked about Ward Hill, the site of the cable television translators; Mr. Stevens suggested that the property may have

reverted to the previous owner. Supv. Goodspeed said that he would look into the sites mentioned.

Supv. Goodspeed informed the Town Board that in response to concerns by Highway Supt. Daniel Hitchcock that Town Attorney Jordan had drafted a letter for use by the Highway Supt. in informing property owners on Town roads that while the Town has a responsibility to maintain the roads that the Town has a need and a right to allow its drivers to do so in a safe manner regarding turnarounds. The issue involving Pasco Road should be solved by said letter. In regard to Abbey Lane, a Town Road with no residences or businesses on it Town Attorney Jordan has recommended that the Highway Supt. try to work with the property owner(s) or possibly request that the Town Board declare it a seasonal road until a residence or businesses is built upon it. Town Attorney Jordan had explained that questions about Stork Road and Sasse Road suggesting that the Town was plowing a driveway were not founded. Both roads are on the inventory of Town Roads and to remove them from the inventory would require that the current homeowners agree to the removal of the road from the Town inventory of roads. As both of these roads have turnaround issues the Town Attorney suggested sending the homeowners the letter which he had drafted on that point. Mr. Robert Nettle asked if the Town had any recourse if the homeowners did not correct their unsafe practices; Supv. Goodspeed replied that the town might then discuss road abandonment as a result of non-cooperation by the owners.

Supv. Goodspeed informed the Town Board that he had asked Mr. Edward Milner to attend the Scenic Byways meeting on January 29 and asked that Mr. Milner report to the Town Board. Mr. Milner reported that the hamlet of North Creek is on both the Roosevelt-Marcy Trail (Route 28N in the Town of Johnsbury) and the Adirondack Trail (Route 28 in the Town of Johnsbury). Mr. Milner reported that if the Town Board declared as a “Byway Community” that off-site signage programs are available; that type of signage is prohibited by the Adirondack Park Agency, however, under the federal Scenic Byways program it is allowed. Mr. Milner added that there is other signage, a Scenic Byways map and a website for promotion of the area. Supv. Goodspeed thanked Mr. Milner for attending the meeting and asked that the Chamber of Commerce look into the opportunities for promotion of the Town.

Supv. Goodspeed updated the Town Board on the Gore Mountain-Ski Bowl Interconnect. He explained that he would be reviewing the documents for the proposed conveyance of the lift line parcel from Front Street Mountain Development to the Town with Town Attorney Jordan on Friday; if all is correct with the documents, the parcel will be conveyed to the Town within a month.

Supv. Goodspeed reported that he met with Warren County Attorney Paul Dusek to inform Mr. Dusek that the Town Board is agreeable to the deed agreement regarding the Kellogg (Waddell) Property. It is expected that the title for the property will be transferred from the Open Space Institute to Warren County by late winter or early spring of this year.

Supv. Goodspeed explained that he had asked Town Attorney Jordan about the best way to pursue the request by the Thurman Connection Snowmobile Club for Glen Creek Road to be accessed as a snowmobile road. Attorney Jordan explained that Town roads may be designated as “snowmobile roads” either by ordinance or by local law; following designation the portions so designated must be signed. The town may solicit donations to defray the cost of the signage. Supv. Goodspeed suggested that the best method might be to create a local law; the issue will be pursued at the next meeting or at the first meeting in March.

Supv. Goodspeed informed the Town Board that Mr. William Montfort of the Warren County Board of Elections had informed him that he had received the check for the parking lot grant and that Mr. Montfort had planned to be on hand to present the check to the Town; Supv. Goodspeed noted that Mr. Montfort was not present.

Supv. Goodspeed informed the Town Board that it appears that any unused grant monies have been re-appropriated by the state. In the Town of Johnsbury this means the possible loss of the Ski Bowl Park grant, the North Country Ministry generator grant, the Town computer grant and the water front grant. Supv. Goodspeed said that he has been in contact with Sen. Little's office and that while he doesn't believe that the Interconnect funding is in jeopardy, but that any of the others may be lost. Mr. Vanselow suggested that their may be different outcomes dependent upon the federal stimulus funding; Supv. Goodspeed said that he believes that the state plans to grab any possible federal funding. Supv. Goodspeed said that at a Warren County briefing that it was expected that "Chips" funding would fall by forty-two percent. Mr. Vanselow said that the budget discussion was approved by the three top democrats in the state.

NEW BUSINESS

Supv. Goodspeed explained that March 4th through 7th there will be a 75th Anniversary Celebration of the Original Snow Train in North Creek. The celebration will begin on Wednesday, March 4, at the North Creek Railway Depot Museum with Senator Betty Little, Assemblywoman Teresa Sayward and speakers from the ORDA Board. The celebration will continue through Saturday, March 7, with events occurring daily and ending with a fireworks display on Saturday. Supv. Goodspeed asked that the Ski Bowl Park Committee suggest events at the park on Friday to coincide with the ORDA celebration. Supv. Goodspeed asked that the Town Board approve the expenditure of \$1000.00 from economic development funds to help ORDA with the cost of the evening fireworks display on Saturday, March 4.

RESOLUTION NO. 40

Supv. Goodspeed presented the following resolution and moved its passage with a second from Mr. Vanselow that the Town Board authorizes the expenditure of \$1000.00 from economic development funds for the purpose of assisting ORDA with the \$4500.00 total cost of the fireworks display for the 75th Anniversary Celebration of the Original Snow Train; the display is to occur on Saturday, March 4. With 5 members voting in favor the resolution is declared carried. Ayes-5 (Arsenault, Morehouse, Stevens, Vanselow, Goodspeed) Nays - 0

Supv. Goodspeed noted that in an oversight that there had been no appointment of a Petty Cash Officer for the Town of Johnsbury Petty Cash Officer for the year of 2009; he requested that the Town Board authorize the appointment of Accounts Clerk Candace Lomax to the position.

RESOLUTION NO. 41

Mr. Arsenault presented the following resolution and moved its passage with a second from Mr. Stevens that the Town Board authorizes and acknowledges the appointment of Accounts Clerk Candace Lomax as the Town of Johnsbury Petty Cash Officer for the year of 2009. With 5 members voting in favor the resolution is declared carried. Ayes-5 (Arsenault, Morehouse, Stevens, Vanselow, Goodspeed) Nays - 0

Supv. Goodspeed noted that the term of Mr. Nate Pelton on the Planning Board expired on February 1, 2009. As the Planning Board is already short the alternate member, Supv. Goodspeed asked that the Town Board appoint Mr. Pelton to the Planning Board through March 3, 2009 when the Town Board will conduct interviews and appoint for a full term. Supv. Goodspeed asked that the Town Board advertise both vacancies, he added that Mr. Pelton was interested in continuing on the Planning Board, and set March 3, 2009 as the date for conducting interviews for the vacancies.

RESOLUTION NO. 42

Mr. Arsenault presented the following resolution and moved its passage with a second from Mr. Vanselow to appoint Mr. Nate Pelton to the Planning Board on a temporary basis through March 3, 2009 to allow the Planning Board to continue operations in an easier manner until an appointment for the full term can be made. With 5 members voting in favor the resolution is declared carried. Ayes-5 (Arsenault, Morehouse, Stevens, Vanselow, Goodspeed) Nays - 0

RESOLUTION NO. 43

Mr. Morehouse presented the following resolution and moved its passage with a second from Mr. Arsenault to set the date, time and place for interviews for the vacancies on the Planning Board as follows: Tuesday, March 3, 2009, at the Wevertown Community Center, Wevertown, NY at 6:30pm and further authorizes the Town Clerk to advertise the vacancies in the February 21 edition of the North Creek News-Enterprise. With 5 members voting in favor the resolution is declared carried. Ayes-5 (Arsenault, Morehouse, Stevens, Vanselow, Goodspeed) Nays - 0

Supv. Goodspeed explained to the Town Board that he had received a letter and some unbound material from Mr. Glenn Pearsall. The materials were from Mr. Pearsall's recent book and were suitable for display. Supv. Goodspeed suggested that the materials be given to the Town Historian, Jo Ann Smith, for her thoughts on the display and storage of the materials. The Town Board agreed with this suggestion.

Supv. Goodspeed informed the Town Board that the Interconnect from the base of Little Gore to the summit of Gore Mountain Ski Center was ordered and the ORDA Board has approved its purchase. This will allow the Gore Mountain Ski Center to operate as an economic engine for the Town of Johnsbury. Supv. Goodspeed said that he was concerned with the operation of the lift as the ORDA Board did not commit to the installation of the lift without a revenue line for its operation; he added that he will continue to monitor the situation.

Supv. Goodspeed distributed the monthly report of the Zoning Enforcement Officer, Mr. Edward Tuttle, for the month of January 2009, to the members of the Town of Johnsbury Town Board.

Supv. Goodspeed distributed the Supervisor's Monthly Report, for the month of January 2009, to the members of the Town of Johnsbury Town Board.

PRIVILEGE OF THE FLOOR

Secretary Cherie Ferguson said that Warren County has cut funding for all fire fighters' training for the first quarter. Supv. Goodspeed agreed and added that the Warren County Board of Supervisors has approved tax anticipation borrowing.

Mr. Robert Nettle said that a few meetings ago he had mentioned that snow dumping and

pushing near the monument at the Town Beach was a problem; he has seen no abatement of the problem. As a result Mr. Nettle said that he expects a serious flooding problem during the spring melt and noted that the pond may need to be sandbagged to prevent silt running into the swimming area. Supv. Goodspeed said that he would talk to the Warren County DPW Superintendent about the runoff problem.

Mr. Robert Nettle said that people in the hamlet of Johnsburg and the western portion of the Town are saddened by the burning of the Johnsburg Public Market. He said that he hoped that Leslie and Jessie Slick will be able to continue the business; the Town Board agreed.

Mrs. Kelly Nettle noted that the "Xtravaganza" is this upcoming weekend and said that the Ski Bowl Park Committee was very appreciative of the efforts of Peter Olesheski and Robert Nettle in organizing the event.

Mr. Vanselow suggested running the video presented earlier in the meeting at the Ski Train Anniversary Celebration. Mrs. Nettle added that a NYSEF ski racing event was occurring that weekend as well; she noted that the races bring in many visitors. She added that she had done a survey of the race attendees spending and room reservation habits; Mr. Edward Milner of the Chamber of Commerce said that he would be pleased to organize the results for the businesses in Town. Mr. Milner added that the Toronto Serbian tourist group will be arriving at the same time with possibly a thousand visitors. Mr. David Bulmer added that the group was looking into a summer trip as well.

Mr. Robert Nettle reported that a group from Brant Lake had used the pavilion ice rink for hockey; he was pleased that the ice rink was attracting visitors from outside the Town.

RESOLUTION NO. 44

Mr. Vanselow 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 board members be paid: General Fund- Warrant #3G/Claims #53-70; Highway Fund- Warrant #3H/Claims #18-26; North Creek Water Dist.- Warrant #3W/Claims#9-10. 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. Morehouse with a second from Supv. Goodspeed at 8:50pm. 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 February 24, 2009 at the Town Hall (Library), North Creek, NY.

Prepared by William Rawson, Town Clerk