

**Minutes of the Town of Johnsburg Regular Board Meeting December 21, 2010
Held at 7:00pm at the Town of Johnsburg Library, North Creek, NY;**

Minutes of the regular meeting of the Town Board of the Town of Johnsburg held on Tuesday, December 21, 2010 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. 238

Mr. Morehouse presented the following resolution, and moved its passage with a second from Mr. Arsenault, to accept the minutes of the December 7, 2010 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. 239

Mr. Morehouse presented the following resolution, and moved its passage with a second from Mr. Arsenault, to accept the minutes of the December 7, 2010 Public Hearing on proposed Local Law #1 of 2010 entitled Control and Licensing of Dogs Local Law Of The Town Of Johnsburg 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 copy of the Town of Hague Resolution Number 72 of 2010, asking that the Warren County Board of Supervisors explore the formation of a group of Warren County towns for the purpose of obtaining health insurance.
2. A letter from Mrs. Kelly Nettle requesting that the Town Board extend the 2009 Occupancy Tax funding in the amount of \$1200.00 for Johnsburg Trails to create a map of hiking trails in the area.

Mr. Vanselow asked about action on the resolution from the Town of Hague; he added that it seemed vague. Supv. Goodspeed said that it was difficult to be sure as to what was being looked at; he added that the Town of Johnsburg's health insurance is okay. Mr. Vanselow asked if there was any new legislative initiative. Supv. Goodspeed said that he was not aware of any; however, this is a state wide issue. Mr. Arsenault said that according to what the Town Board has been told in the past that this needs an act by the legislature to change. Mr. Vanselow said that he did not see how Warren County could act alone on this issue. Supv. Goodspeed said that he would have Secretary Cherie Ferguson contact the Hague Supervisor's office for an explanation.

COMMITTEE REPORTS:

OLD BUSINESS:

Supv. Goodspeed recognized Mr. Vanselow as chairman of the Occupancy Tax Committee for a report on the 2011 Occupancy Tax funding requests. Mr. Vanselow handed out a list of the funding requests and the levels of funding which the Committee is recommending to the Town Board; he added that sufficient funding exists to fulfill the recommendations of the Committee. Mr. Vanselow informed the Town Board that some organizations have increased their requests in expectation of the discount resulting from being in second or later years of requests. Mr. Vanselow said that the Occupancy Tax Committee should meet to discuss multi-year funding awards for recommendation to the Town Board. Mr. Vanselow thanked the Committee members. Mr. Arsenault asked if this spends all the 2011 Occupancy Tax funding; Mr. Vanselow replied that it expends most, but not all of the funding and that there is the second round of funding. Secretary Cherie Ferguson said that there was seven thousand eight hundred dollars of currently unclaimed funding.

RESOLUTION NO. 240

Mr. Vanselow presented the following resolution, and moved its passage with a second from Supv. Goodspeed, that the Town Board approve as received the following Occupancy Tax Funding recommendations from the Occupancy Tax Committee:

Applicant	\$ Request	Discount	Avg score	Percent	Award
Shuttle	\$10,000	25%	863	86%	\$6450
Concerts	\$5,500		855	86%	\$4730
Derby	\$1200	75%	848.5	85%	\$340
Adv. Fest	\$5000		842	84%	\$4200
Lights On	\$3400	25%	803	80%	\$2040
Farmers Mkt.	\$3140	75%	802	80%	\$628
Cruise Nights	\$6540	25%	788	79%	\$3875
Mosaic	\$11,000*		750	75%	\$8250
Engine Show	\$2000		742	74%	\$1480
Waynestock	\$2500		685.5	69%	\$1725
Depot Promo	\$2850	50%	668	67%	\$988
Directory	\$7000	50%	629.5	63%	\$2205
Brunch	\$2300	25%	572	57%	\$983

Total-\$37,894

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

Mr. David Bulmer asked if there was a program in place to deal with the second round of funding. Mr. Vanselow said that there was not as yet. Secretary Ferguson suggested scoring any applications for the second round of funding against the original applications. Supv. Goodspeed

said that most of the Towns in Warren County don't go through a process such as this and that this process seems to be a fair use of the funds; he also thanked the Occupancy Tax Committee.

Supv. Goodspeed reminded the Town Board of the written request from the Johnsbury Trails organization requesting that the Town Board extend the 2009 Occupancy Tax funding in the amount of \$1200.00 for the creation of a map of hiking trails in the area. Mr. Vanselow said that he has spoken to Mrs. Kelly Nettle regarding this project and while he is generally not in favor of such extensions that he is supportive of this project.

RESOLUTION NO. 241

Mr. Stevens presented the following resolution, and moved its passage with a second from Mr. Arsenault to allow the extension of the funding award to the Johnsbury Trails organization originally given for 2009 Occupancy Tax Funding through the 2011 funding cycle. With 4 members voting in favor the resolution is declared carried. Ayes-4 (Arsenault, Morehouse, Stevens, Goodspeed) Nays – 1 (Vanselow)

Supv. Goodspeed informed the Town Board that the Wevertown cell tower site has Adirondack Park Agency permits in place and it is expected that construction on the tower will begin in spring of 2011. Supv. Goodspeed added that the North Creek cell tower site seems to be about three months behind the Wevertown site in the permitting process; he said that it was possible that both towers may be built by the summer of 2011.

NEW BUSINESS

Supv. Goodspeed asked that the Town Board set a date for the 2011 Organizational Meeting; he suggested January 4, 2011, the first Tuesday in January at the Wevertown Community Center, at 7:00pm.

RESOLUTION NO. 242

Mr. Morehouse presented the following resolution and moved its passage with a second from Mr. Stevens that the Town Board sets the date of the 2011 Organizational Meeting of the Town Board of the Town of Johnsbury as follows: January 4, 2011 at the Wevertown Community Center, Wevertown, NY at 7:00pm. 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 Zoning Enforcement Officer (ZEO) Danae Tucker has looked at the Scout Hall in regard to the Johnsbury Emergency Medical Squad request for changes to the building in order to create additional sleeping space for overnight crews and also to add additional storage shelves. ZEO Tucker has informed Supv. Goodspeed that there are no zoning issues involved in the request. Mr. Robert Nettle explained that the work will probably be done by volunteers; Supv. Goodspeed asked for a list of the volunteers so that they may be covered by Workers Compensation.

RESOLUTION NO. 243

Mr. Arsenault presented the following resolution, and moved its passage with a second from Mr. Vanselow, to allow the Johnsbury Emergency Medical Squad to modify the interior of the Emergency Squad headquarters in the Sodom Scout Hall in order to create additional sleeping

space for overnight crews and also to build additional storage shelves. With 5 members voting in favor the resolution is declared carried. Ayes-5 (Arsenault, Morehouse, Stevens, Vanselow, Goodspeed) Nays – 0

Supv. Goodspeed recognized Engineer Thomas Suozzo of Delaware Operations to report on an issue regarding North Creek Water District Well Number 5 and the NYS Department of Health (DOH). Engineer Suozzo explained that Well #5 is not presently functional and that the DOH wants a water production rate that will allow the water district to supply its needs with the largest producing well out of service. The DOH is concerned that due to growth in the North Creek Water District and is looking for both short term and long term solutions to the issue of production. Engineer Suozzo explained that there were leaks in the water lines and that the peak daily usage was less than 200,000 gallons per day. The peak usage used to occur in February, but now it seems to be moving toward summer months. Engineer Suozzo informed the Town Board that his suggestion for a short term solution was to redevelop Well #5 at its permitted flow of 108,000 gallons per day; Well #5 and Well #6 in combination will meet the daily peak demand requirement of the DOH. Engineer Suozzo estimated that the cost to put Well #5 into service, including a new pump, would be about \$35,000.00 with Delaware Operations donating its engineering fees for the project. The long term solutions would include moving the controls at the pump station above ground, a new building for the pump station, a chlorine booster pump for the customers in the Top Ridge area, cleaning and resealing of a water storage tank. Engineer Suozzo estimated the costs of upgrading the pumping station at \$70, 000.00 to \$80,000.00; the cost of cleaning and resealing a water storage tank are unsure at this time. Additionally, the DOH would like to see water meters installed to review usage and help to spot water line leaks; this would not be for billing purposes. Mr. Vanselow asked how strong the request from the DOH for water meters was; he added that this would be a large expense for the water district. Engineer Suozzo said that it was a serious request. Engineer Suozzo said that Delaware Operations would look for a grant to assist in the installation of the water meters.

Engineer Suozzo informed the Town Board that Mike Shaw, Public Health Engineer for the regional DOH office agrees to the solutions as suggested by Delaware Operations. The estimated time for the long term solutions is during 2012; the estimated time for short term solutions is the spring of 2011. Supv. Goodspeed asked that the Town Board authorize the short term solutions proposed by Delaware Operations and that the Town Board conceptually approve the long term solutions.

RESOLUTION NO. 244

Mr. Stevens presented the following resolution, and moved its passage with a second from Mr. Arsenault, to carry forward with the short term solutions to increasing the daily permitted water availability for the North Creek Water District to levels acceptable by the NYS Department of Health through the redevelopment of Well #5 at a estimated cost of about \$35,000.00 with Delaware Operations donating its engineering fees for the project and further, that the Town Board conceptually approves of moving forward with the following long term solutions for the North Creek Water District: moving the controls at the pump station above ground, a new building for the pump station, a chlorine booster pump for the customers in the Top Ridge area, cleaning and resealing of a water storage tank and the installation of water

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

Supv. Goodspeed said that he had received the Delaware Engineering proposal to act as the operator of the North Creek Water District for 2011 and asked if the Town Board wishes to authorize him to sign a one year contract for the company to continue as the operator of the North Creek Water District for 2011. Mr. Arsenault asked if there was a cost increase over the 2010 contract; Supv. Goodspeed replied that the cost increase was about forty five dollars per month.

RESOLUTION NO. 245

Mr. Arsenault presented the following resolution, and moved its passage with a second from Mr. Morehouse, to authorize Supv. Goodspeed to execute the contract with Delaware Engineering to operate the North Creek Water District for the year of 2011. With 4 members voting in favor, the resolution is declared carried. Ayes-4 (Arsenault, Morehouse, Stevens, Vanselow,) Nays – 0 Abstentions – 1 (Goodspeed)

Supv. Goodspeed noted that he had received an insurance binder from the Merriam Agency for the fiscal year of 2011 and added that the amount is within the amount budgeted for the liability insurance in the 2011 budget; he asked that the Town Board accept the binder authorize him to sign it.

RESOLUTION NO. 246

Mr. Stevens presented the following resolution and moved its passage with a second from Mr. Vanselow to accept the liability and property insurance quote from NYMIR, through the Merriam Agency for the fiscal year of 2011 and to authorize the Town Supervisor to sign the 2011 insurance binder. 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 Town Board had received copies of proposed 2010 Budget amendments in their packets; these are mainly transfers between accounts. Supv. Goodspeed asked that the Town Board approve these amendments to the 2010 Town Budget.

RESOLUTION NO. 247

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

GENERAL FUND

transfers between accounts

	FROM:		TO:		
Contingent	A1990.4	1,000.00	Attorney	A1420.4	1000.00
Parks (other)	A7110.1	1,000.00	Refuse	A8160.1	1,000.00

Increase Estimated Revenues (A510)			Increase Appropriations (A960)		
Occupancy Tax	A1113	7352.80	Tourism Promotion	A6410.42	

HIGHWAY FUND

transfer between accounts

	FROM:		TO:		
FEMA	DA8760.4	40,000.00	Bridges	DA5120.4	40,000.00

LIBRARY FUND

transfer between accounts

	FROM:		TO:		
Payroll	L7410.1	50.00	SS	L9030.8	25.00
			Medical	L9060.8	25.00

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

PRIVILEGE OF THE FLOOR

Mr. David Bulmer asked if there was any update on the transfer of the Kellogg (Waddell) property to the Town of Johnsbury; Supv. Goodspeed said that movement was very slow and that a likely date for the closing was January 30, 2011. Mr. Bulmer said that Warren County had required liability insurance at a cost of one thousand dollars each from the Chamber of Commerce and the White Water Derby for the use of the property for the Adventure Weekend in May 2010. Supv. Goodspeed said that the Town will probably not require liability coverage costing that much.

Mrs. Barbara Thomas asked the area to be covered by the Wevertown cell tower; Supv. Goodspeed replied that the tower will cover areas of State Routes 8 and 28 in the vicinity of the hamlet of Wevertown. The tower in North Creek will cover Main Street, Peaceful Valley Road and the Gore Mt. parking area. Mr. Bulmer noted that the Adirondack Park Agency turned down a mobile tower in the Gore Mt. parking area. Mr. Vanselow asked if there was a plan in store for the Glen area; Supv. Goodspeed said that a plan was being worked on; however, it is well behind the other sites.

RESOLUTION NO. 248

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 #23G/Claims #497-529; Highway Fund- Warrant #23H/Claims #266-278; North Creek Water Dist.- Warrant #23W/Claims#91-94. 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. Stevens at 7:50 pm With 5 members voting in favor the motion is declared carried. Ayes-5 (Arsenault, Morehouse, Stevens, Vanselow, Goodspeed) Nays – 0

The 2011 Organizational Town Board meeting will be held at 7:00pm on January 4, 2010 at the Wevertown Community Center, Wevertown, NY

Prepared by William Rawson, Town Clerk

MEETING ATTENDANCE SIGN-IN

Meeting Date: December 21, 2010

Committee/Board: Regular Town Board Meeting @ Town Hall
(Town Library), North Creek, NY

Please PRINT your name and address clearly to assure the correct spelling in the minutes of this meeting.

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|-----|------------------------|---------------------------|
| 1. | <u>ROBERT NESSLE</u> | <u>GREATER JOHNISBURG</u> |
| 2. | <u>CHERIE FERGUSON</u> | <u>N. CREEK</u> |
| 3. | <u>Jim Jones</u> | <u>Johnsburg</u> |
| 4. | <u>Tom Suozzo</u> | <u>Hartford</u> |
| 5. | <u>Barbara Thomas</u> | <u>Gore Plumber</u> |
| 6. | <u>Hailey West</u> | <u>Johnsburg</u> |
| 7. | <u>Emily Smith</u> | <u>Johnsburg</u> |
| 8. | <u>Pete Daniel</u> | <u>Bakers Mills</u> |
| 9. | <u>John Bylinski</u> | <u>NC</u> |
| 10. | <u>Mark Koenig</u> | <u>W.C.</u> |
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