

Minutes of the Town of Johnsburg Regular Board Meeting July 5, 2011
Held at the Wevertown Community Center, Wevertown, NY

Minutes of the regular meeting of the Town Board of the Town of Johnsburg held on Tuesday July 5, 2011 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. 120

Mr. Arsenault presented the following resolution, and moved its passage with a second from Mr. Stevens, to accept the minutes of the June 21, 2011 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

CORRESPONDENCE:

1. A letter from Nature resource Specialist Lori Kerrigan of the Warren County Soil and Water Department with suggestions on rectifying the drainage issue at the Ski Bowl Park.
2. A letter from Mr. Peter Olesheski declining his appointment as the alternate member to the Planning Board
3. A letter from Regional Traffic Engineer Mark Kennedy of the NYS Department of Transportation determining that a reduction in speed on the South Johnsburg Road between State Route 8 and Danker Road was not warranted at this time.
4. A letter from Mrs. Irene MianECKi requesting that the Town Board members make an exception to the policy of not issuing refunds on non-used transfer station tickets.
5. A letter of thanks from the Town of Thurman Supervisor for assistance during their recent disasters from flooding.
6. A notification of renewal of liquor license from Mr. Michael Bowers of Bar Vino.
7. A letter of thanks from Ms. Deana Wood to the Town Board for their resolution of support for the continued operation of the Riparius Post Office.
8. A packet from Empire State Development regarding the application of ORDA for a \$3,600,000.00 Upstate Regional Blueprint funds grant for which the Town Board had authorized a letter of support a the June 21, 2011 Town board meeting.

The Town Clerk informed the Town Board that the Town has received a letter from a former employee requesting employment and the letter is included in their packet.

Supv. Goodspeed asked the Town Board members if they were interested in changing or making an exception to the current policy of not refunding monies for unused transfer station tickets; there was no indication that any change or exception should be made and Supv. Goodspeed instructed the Town Clerk to so inform Mrs. Irene Mianecky.

COMMITTEE REPORTS:

OLD BUSINESS:

Supv. Goodspeed informed the Town Board that the Saratoga North Creek Railroad is scheduled to begin operation July 14, 2011; the inaugural run for media and officials is expected to be July 12, 2011.

Supv. Goodspeed explained that the Town Board would be well advised to pass a resolution to expend funds not to exceed thirty thousand dollars in conformity with the procurement policy to complete the wing walls for the bridge over Johnson Brook on Harrington Road.

RESOLUTION NO. 121

Mr. Morehouse presented the following resolution, and moved its passage with a second from Mr. Arsenault, to authorize the expenditure of funds, not in excess of thirty thousand dollars and in conformity with the requirements of the Town of Johnsbury Procurement Policy to complete the wing walls for the bridge over Johnson Brook on Harrington Road. 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 the insurance on the transfer station is a replacement policy and the insurance company wants to know the replacement cost of the building. Supv. Goodspeed requests that the Town Board approve the request for bids to replace the compactor and the operator office portion of the building. Mr. Arsenault asked about the extra costs for hauling due to the loss of the compactor; Secretary Cherie Ferguson explained that the insurance company had said that all additional expenses should be covered. Mr. Arsenault asked if there was any consideration of not replacing the transfer station; Supv. Goodspeed replied that he had asked Town Attorney Jordan to research the requirements for the transfer station, but he had not yet received an answer. Supv. Goodspeed noted that virtually all the area towns operate a similar facility. Mr. Arsenault said that it was a unique moment in time to review the costs and the operation of the transfer station. Supv. Goodspeed said that he had asked Candace Lomax to work on savings estimates. Mr. Arsenault asked if the insurance company would not pay if there was no replacement of the lost building and compactor; Supv. Goodspeed said it was possible as the policy is for replacement. Mr. Vanselow suggested going to a smaller unit as there appears to be less usage. Mrs. Kelly Nessle suggested moving the transfer station out of the Ski Bowl Park; Mr. Arsenault said that it was worth discussing. Mr. David Bulmer asked if the concrete had been looked at following the fire; Secretary Cherie Ferguson replied that it had been looked at by the

insurance adjustor and deemed okay.

RESOLUTION NO. 122

Mr. Stevens presented the following resolution, and moved its passage with a second from Mr. Arsenault, to authorize the Town Clerk to advertise for one week on in the North Creek News Enterprise for the replacement of one (1) trash compactor and cover, and also, an operator office, with the bids to be opened at 7:00pm at a regular meeting of the Town Board to be held at the Wevertown Community Center, State Route 28, Wevertown, NY, on August 2, 2011. With 5 members voting in favor the resolution is declared carried. Ayes-5 (Arsenault, Morehouse, Stevens, Vanselow, Goodspeed) Nays - 0

Supv. Goodspeed thanked Mr. Arsenault, the Deputy Supervisor, and other Town board members for their assistance during his recent health issues of the prior week.

Supv. Goodspeed said that the beach discussion will be moved to the July 19, 2011 Town Board meeting.

Supv. Goodspeed informed the Town Board that on Friday July 1, 2011 he received a letter from Town Attorney Jordan regarding the Front Street Mountain Development project; Supv. Goodspeed explained that a filing was received by Attorney Jordan, but not the Town Engineer. As of July 1, there was no review by the Town Engineer (Delaware Operations) and also no reply from Front Street Mountain Development to Attorney Jordan's questions. Mr. Vanselow asked who determines the bonding levels for the transportation corporation; Supv. Goodspeed replied that the bonding was determined by the Town Board under the recommendation of the Town Attorney and the Town Engineer.

Supv. Goodspeed opened a discussion of the Mill Creek Recreation Area (MCRA) by explaining that there is no plan to replace the Town Beach with the "Black Hole" at the MCRA; he added that the discussion of the management plan for the MCRA is not an issue which will hurt the relationship between the Town and the Open Space Institute (OSI). Supv. Goodspeed said that the Town has not failed to manage the MCRA over the years and added that the Town has recognized the value of the MCRA over the years. Supv. Goodspeed noted that the "Black Hole" has been a party spot with a great deal of vandalism over several generations. Mr. Vanselow explained that he has spoken to the committee members including Mr. Robert Nettle involved in the original management plan for the MCRA; he noted that he has also spoken with NYS Forest Ranger Steve Ovitt. Mr. Vanselow said that Mr. Stevens and he would make up a committee to look at the overall plan; to determine the available resources; and make recommendations to the Town Board in the near future. Mr. Nettle said that Mr. Vanselow and Mr. Stevens should seriously consider turning the MCRA over to Warren County for management as the Town does not possess the resources to manage the area; Mr. Nettle added that in the future there will be large expenses for erosion control at the site. Mr. Arsenault asked if there had been any discussions about turning the

site over to Warren County Parks; Supv. Goodspeed said that he would be very surprised if the Warren County Parks would be interested in taking over any new projects due to budget reductions. Mr. David Bulmer asked the size of the MCRA; Mr. Nettle said that it was about 180 acres along the Hudson River with a great deal of camping and hiking/cross country skiing potential. Mr. Bulmer suggested possibly a state park area; Supv. Goodspeed said that eh would reach out to both the county and the state. Secretary Cherie Ferguson said that the destruction of equipment from vandalism was a serious problem. Mrs. Kelly Nettle said that the erosion problem was not due to vandalism as to the heavy use on the hill down to the "Black Hole". Mr. Arsenault said that he visits the area frequently and that it is a great area for families and also that there seems to be a variety of people from outside the area using the MCRA. Mr. Vanselow said that there was a Face book site for the "Black Hole" with 700 people who "like" it. Supv. Goodspeed said that he will be waiting for the report from Mr. Vanselow and Mr. Stevens.

Supv. Goodspeed explained that regarding the wages/salaries for the Summer Youth Program there had been some concerns from other Town employees about the salaries of the upper echelon employees of the Summer Youth Program. Mr. Arsenault asked for information on the salaries and how comparisons were drawn. Mr. Vanselow asked the increase for other Town employees; Supv. Goodspeed said that it was 3%. Supv. Goodspeed said that it was not a huge impact on the budget. Mr. Arsenault asked about information on the salaries; Supv. Goodspeed said that he had not yet received it. Mr. Robert Nettle said that pay should be commensurate with training, not simply about longevity. Mrs. Kelly Nettle commented that there was a question of the number of days which the directory staff was paid for; Mr. David Bulmer asked the meaning of this statement. Mrs. Nettle said that there is an additional eleven days above the operations of the Summer Youth Program for which the upper echelon staff are paid. Supv. Goodspeed said that he would try to get some information on this point. Mr. Vanselow said that he wanted to be sure that the Summer Youth Program employees asked about the employees would be paid; Secretary Cherie Ferguson said that pay would be handled at the 2010 rate until a decision was reached and if increases were made that a correction could be made at that time. Supv. Goodspeed said that he expected to be able to get the information to the Town Board in a couple of days.

NEW BUSINESS

Supv. Goodspeed noted that the monthly reports of the Zoning Enforcement Officer, Danae Tucker and of the Animal Control Officer, William Mosher for the month of June 2011, had not yet been received.

Supv. Goodspeed distributed the Supervisor's Monthly Report, for the month of June 2011, to the members of the Town of Johnsburg Town Board.

PRIVILEGE OF THE FLOOR

Mrs. Kelly Nettle speaking for the Youth Committee asked that the Town Board allow the Youth Committee to build a locked storage area upstairs at the pavilion in Ski Bowl Park to house

equipment which has been purchased for “Treks” the outing portion of the Youth Committee. Mr. Stevens asked if the area is currently being used for storage; it is, but it is open at this time. Supv. Goodspeed said that the Town would need a list of the volunteers working on the partitioning for workers compensation. Secretary Cherie Ferguson suggested that the Town use this storage as opposed to renting space from North Country Storage.

RESOLUTION NO. 123

Mr. Arsenault presented the following resolution, and moved its passage with a second from Mr. Vanselow, to authorize the Youth Committee, through the use of volunteer labor to build an enclosed, lockable storage area upstairs in the pavilion at Ski Bowl Park. With 5 members voting in favor the resolution is declared carried. Ayes-5 (Arsenault, Morehouse, Stevens, Vanselow, Goodspeed) Nays - 0

Mr. Robert Nettle questioned the use of the rental storage from North Country Storage; he said that the Town could have built a small storage building for the money which has been paid in rental fees. Mr. Nettle also suggested that the “red barn” could have been rehabilitated for storage. Mr. Tim Record asked if there was any storage in the “red barn”; Supv. Goodspeed replied only some junk and the fuel tanks.

Mr. David Bulmer said that the Town Board should put the Parks and Buildings under the Highway Department. Mr. Stevens said that this has been discussed and that he has heard of other Towns in which it has been a total disaster. Mr. Vanselow said that he doesn't believe that the subject is totally closed. Mr. Bulmer said that Parks and Building Superintendent Matt Olden seems to be a department of one; Supv. Goodspeed said that Parks and Buildings Supt. Olden is not a department of one, he has two additional people. Supv. Goodspeed said that the problem this season was the weather. Supv. Goodspeed said that of the eleven days prior to Memorial Day Weekend it rained ten; the Highway Department was unable to render assistance due to the problems of the rain washing out roads. Supv. Goodspeed said that there were several possible solutions: the Highway Department could take over the Parks and Buildings or the cemetery mowing could be contracted out. Supv. Goodspeed said that the Warren County program which had supplied youths for mowing has dried up. Mr. Arsenault said that Parks and Buildings Supt. Olden as the manager of the department needs to find the people or ask for additional help. Supv. Goodspeed asked if there was any interest on the Highway Committee for the consolidation of the Highway Department with the Parks and Buildings Department. Mr. Arsenault replied that Highway Supt. Hitchcock had expressed little interest in taking on additional responsibilities; he added that the Highway Committee could speak to him again about this issue. Mr. Vanselow agreed with opening the discussion and suggested that Highway Supt. Hitchcock may be more open to the idea now. Mr. Arsenault said that he understands that Parks and Buildings Supt. Olden is under a great deal of pressure. Mr. Morehouse said that regardless of who is in charge that the Town Board needs to commit more people to the mowing; Supv. Goodspeed added that there were some management issues with Parks and Buildings Supt. Olden. Mr. Nettle said that joining the

Parks and Buildings Department with the Highway Department was the wrong way to go; the Parks and Buildings used to be under the Highway and they were left way behind. Supv. Goodspeed said that the plowing of the Town buildings would be easier for the Highway Department. Mrs. Kelly Nessel asked if there has been any discussion as to not maintaining the cemeteries; Supv. Goodspeed replied that there had been none and added that if no association exists then the mowing defaults to the Town. Supv. Goodspeed added that there have been volunteers assisting with the mowing. Secretary Cherie Ferguson informed the Town Board that the North Creek Rotary Club is working to provide funding for equipment to work on the cemeteries. Mrs. Nessel suggested that the town Board create an association to charge for burials in the Town cemeteries or to accept donations to help pay for the cemetery maintenance.

Mrs. Kelly Nessel suggested that the costs related to solving the drainage issue at the tubing hill may be able to be made a part of the Ski Bowl Park grant; Supv. Goodspeed said that this was a great idea. Mr. Arsenault asked if ORDA was a partner in this project; Supv. Goodspeed said that he was not sure if ORDA was involved with funding. Mr. Arsenault said that he believed that ORDA should be partnering in this operation; Supv. Goodspeed agreed. Mr. Robert Nessel said that the runoff from ORDA was small.

Mrs. Kelly Nessel explained that she was bringing up the following issue at the request of Mrs. Jill Broderick. There was concern that the lodge at the Ski Bowl Park was not open to allow use of the rest room facilities during the Independence Day celebration and there should be picnic tables at the pavilion by the beach area.

Mr. Vanselow informed the Town Board of a letter from the NYS Department of Transportation regarding speed limits; the proposed laws did not get through the NYS Assembly. Mr. David Bulmer suggested that the Association of Towns should try to push the speed limit legislation.

Mr. Vanselow asked if a letter from Mr. Matthew Klippel informing the Town board of his resignation from the Planning Board; no such letter has been received. Mr. Vanselow said that it appears that Mr. Klippel will be resigning from the Planning Board.

Mr. Robert Nessel said that the Independence Day celebration at the Ski Bowl Park was a good production. Mr. David Bulmer suggested more police oversight following the fireworks. Mr. Bulmer asked that the Town Board do a proclamation of thanks to Richard Green for his sponsorship of the Independence Day celebration.

RESOLUTION NO. 124

Mr. Arsenault presented the following resolution and moved its passage with a second from Mr. Vanselow that the Town Board authorizes the issuance of a proclamation of thanks to Richard Green for his sponsorship of the Independence Day celebration. With 5 members voting in favor the resolution is declared carried. Ayes-5 (Arsenault, Morehouse, Stevens, Vanselow, Goodspeed) Nays - 0

RESOLUTION NO. 125

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 board members be paid: General Fund- Warrant #11G/Claims #243-257; Highway Fund- Warrant #11H/Claims #135-142; North Creek Water Dist.- Warrant #10W/Claims#49-50; Capital Projects Fund- Warrant #5CPF/Claim #6. With 5 members voting in favor the resolution is declared carried. Ayes-5 (Arsenault, Morehouse, Stevens, Vanselow, Goodspeed) Nays - 0

Supv. Goodspeed explained that the Town Board would now move into executive session to discuss two employment/personnel issues and that there was no action expected on these issues.

Mr. Stevens presented the following motion, with a second from Mr. Morehouse to enter into executive session for the purpose of discussing two employment/personnel issues at 8:35pm. With 5 members voting in favor, the resolution is declared carried. Ayes-5 (Arsenault, Morehouse, Stevens, Vanselow, Goodspeed) Nays - 0

Mr. Morehouse presented the following motion, with a second from Mr. Arsenault to adjourn the executive session for the purpose of discussing two employment/personnel issues and reenter the regular session at 9:12pm. 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 discussed two personnel/employee issues and that no action was to be taken at this time.

A motion to adjourn the meeting was presented by Mr. Stevens with a second from Mr. Arsenault at 9:12pm. 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 June 21, 2011 at the Town Hall (Library), North Creek, NY.

Prepared by William Rawson, Town Clerk