

**Minutes of the Town of Johnsburg Regular Board Meeting February 7, 2008  
Held at the Wevertown Community Center, Wevertown, NY**

Minutes of the regular meeting of the Town Board of the Town of Johnsburg held on Thursday, February 7, 2008 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 Eugene Arsenault.

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. 27**

Mr. Vanselow presented the following resolution, with a second from Mr. Arsenault, to accept the minutes of the January 15, 2008 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. Jean M. Comstock expressing her interest in being considered to fill a vacancy on the Planning Board.
2. A letter from Mr. Kenneth Murray expressing his interest in being considered to fill a vacancy on the Planning Board.
3. A letter from Mr. Mark Bergman expressing his interest in being reappointed to the Planning Board.
4. A letter from Mrs. Kelly Nettle expressing her interest in being considered to fill a vacancy on the Planning Board.
5. A letter from Mrs. Doris Patton announcing that she will retire from the position of Town Historian at the end of her term on December 31, 2008.
6. A letter from North Creek Water District Supt. Charles Rawson announcing his resignation from his position effective January 18, 2008.

**COMMITTEE REPORTS:**

Mr. Vanselow reported for the Energy (Morehouse and Vanselow) and Buildings (Stevens and Vanselow) Committees; he informed the Town Board that the committee had met and discussed the energy use issue in Town buildings. The result of the meeting was that the committee suggests that a N.Y.S. Energy Research and Development Authority (N.Y.S.E.R.D.A.) energy audit be conducted; the estimated cost of the audit would be \$100.00 per building. Mr. Vanselow asked that the Town Board authorize audits for the Highway Garage, the Town Hall, the Wevertown Community Center, and the Tannery Pond Community Center for an expected total cost of \$400.00. Supv. Goodspeed noted that Highway Supt. Richards was instituting some changes at the Highway Garage which it was hoped would lead to lower energy costs; asked that the Town Board authorize the energy audits as requested by the Energy and Buildings Committees.

**RESOLUTION NO. 28**

Mr. Stevens presented the following resolution and moved its passage with a second from Mr. Arsenault that the Town Board authorize the Town Supervisor to request energy audits of the following Town buildings: the Highway Garage, the Town Hall, the Wevertown Community Center, and the Tannery Pond Community Center by the N.Y.S. Energy Research and Development Authority (N.Y.S.E.R.D.A.) at an anticipated cost of \$100.00 per building for a total cost of \$400.00. With 5 members voting in favor the resolution is declared carried. Ayes-5 (Arsenault, Morehouse, Stevens, Vanselow, Goodspeed) Nays - 0

Mr. Arsenault reported that the Fire Committee (Arsenault and Morehouse) had met with the Johnsbury Emergency Squad in an exploratory meeting and another meeting had been scheduled.

#### SPECIAL PRESENTATION:

Mr. Shawn Lynch of the Cornell Co-operative Extension made a presentation to the Town Board regarding 4-H Clubs. Mr. Lynch explained that the 4-H Clubs were the largest non-school groups nationwide and that the Cornell Co-operative Extension had received several inquiries people in the area and were looking to set up a club in the Town of Johnsbury; he asked that the Town Board help publicize their desire to begin a club in the area.

#### OLD BUSINESS:

Supv. Goodspeed informed the Town Board that he had prepared a list of prospective members for an advisory board to make recommendations to the Town Board regarding Occupancy Tax funding requests as authorized by the Town Board at the previous meeting. The prospective members of the committee are as follows: and additionally, Supv. Goodspeed requested that Mr. Edward Milner be appointed as chairman of said committee. Supv. Goodspeed stated that he had contacted all of the above listed prospective members with the exception of Mr. Geoffrey Konis and all had agreed to accept membership on the committee; Supv. Goodspeed asked for a resolution from the Town Board to appoint the prospective members to the committee.

#### RESOLUTION NO. 29

Mr. Morehouse presented the following resolution and moved its passage with a second from Mr. Vanselow to create a committee, for the purpose of being an advisory board to make recommendations to the Town Board regarding Occupancy Tax funding requests, of the following members: Geoffrey Konis, Kelly Nessel, Trina Reidinger, Roger Thomas, Karen Smith, Erwin Morris and Edward Milner; and further, to name Edward Milner as chairman of said committee. With 5 members voting in favor the resolution is declared carried. Ayes-5 (Arsenault, Morehouse, Stevens, Vanselow, Goodspeed) Nays - 0

Supv. Goodspeed reminded to the Town Board members that he had asked them to be prepared to decide on changing the health care of the qualified current or retired Town employees from Empire Health Choice H.M.O. to Blue Shield Medicare Advantage Plan with an anticipated savings of approximately \$3,000.00 per month. Supv. Goodspeed informed the Town Board that he has written to all of the qualified current or retired Town employees regarding the proposed health care changes and that there had been no negative comments. Mr. Arsenault asked if there was any detrimental changes in coverage; Supv. Goodspeed answered that there did not seem to be any and that the municipalities using the plan has responded that

their employees seemed to be happy with the coverage. Mr. Stevens asked how long those municipalities had been using the Blue Shield Medicare Advantage Plan to determine if there was a track record; Supv. Goodspeed answered that the Lake George Town and Village had used the plan for a year or more and the City of Glens Falls for several months.

#### RESOLUTION NO. 30

Mr. Arsenault presented the following resolution and moved its passage with a second from Mr. Stevens that all qualified current or retired Town employees have their health insurance changed from Empire Health Choice H.M.O. to Blue Shield Medicare Advantage Plan. 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 Ski Bowl Park grant; he noted that Mr. Joel Beaudin has agreed to assist in the administration of the grant at no cost to the Town.

Supv. Goodspeed asked Town Attorney Jordan to update the Town Board on a memorandum of agreement between Tall Timbers and the Town of Johnsbury as well as one between Tall Timbers and the North Creek Fire District. Town Attorney Jordan explained that the agreements are not yet ready to be executed; there are issues of language in each which require additional work. Regarding the memorandum of agreement between Tall Timbers and the Town of Johnsbury, Engineer James Hutchins has raised a concern with the language included which would allow Tall Timbers to secure 50,000 gallons of water daily irregardless of the production of their wells; Engineer Hutchins would prefer the language to set a proportion of the water produced by the wells and if the amount is less than anticipated that the amount allowed to Tall Timbers will be reduced also. Attorney Jordan noted that the language in the memorandum of agreement between Tall Timbers and the North Creek Fire District should be supportive and in agreement with the memorandum of agreement between Front Street Mountain Development and the North Creek Fire District. Mr. Arsenault asked if the Johnsbury Emergency Squad is involved in these agreements. Attorney Jordan explained that the Johnsbury Emergency Squad is involved through Adirondack Park Agency review and the local site plan review, as well; he suggested that the Emergency Squad send its concerns to those agencies. Attorney Jordan said that both agreements should be ready to be executed at the next regular Town Board meeting.

Supv. Goodspeed informed the Town Board that due to bad weather he had cancelled the meeting of a Budget Advisory group on February 1<sup>st</sup> at the Tannery Pond Community Center at 4:00pm; he noted that the next meeting would be held on February 15<sup>th</sup> at the Wevertown Community Center at 4:00pm as planned.

Supv. Goodspeed noted that the Town had received eight newer model computers from the Adirondack Community College; while the computers are not brand new, they are a huge upgrade from the current computers in use at the Town Hall. Supv. Goodspeed added that the computers will be installed as quickly as possible.

Supv. Goodspeed informed the Town Board that he and Secretary Cherie Ferguson had met with Frontier to discuss a new telephone system for the Town Hall; he said that a cost quote had

been received for the system and that he would review it and will have recommendations at the next Town Board meeting.

Supv. Goodspeed updated the Town Board on the red barn building; the office of Matt Olden, Parks and Buildings Supt. has been moved to the Highway Garage. Supv. Goodspeed added that Jim Hutchins (Engineer) had reviewed the building and declared it not safe. The red barn building is still being used for storage, the trips in have been limited to quick visits to retrieve supplies. A search is being made for room to store the items housed in the barn which includes paper products for the Town buildings and flags owned by the American Legion. Supv. Goodspeed added that the electricity will be turned off in the barn and will result in a savings of about \$2800.00 in annual utility costs. Mr. Morehouse asked if there was operating plumbing; Supv. Goodspeed answered that he was not sure, but doubted that there was, it would be checked out. It was noted that the red barn building housed the fuel tanks for the Town Hall and this would have to be worked on as well.

Supv. Goodspeed reported that on January 30, he, along with Town Attorney Jordan met with the Chiefs and Officers for about one and one-half hours. As a result of the meeting Attorney Jordan was drafting a new version of the Fire Protection Contract; when the contract is completed those currently signed contracts will be voided to be replaced with the new contract.

Supv. Goodspeed asked Mr. Vanselow for a report on the Housing Incentive and Zoning Committee which the Town Board had authorized to be created at the previous meeting. Mr. Vanselow reported that he had contacted Brian Grisi (Local Planning Assistance Specialist) of the Adirondack Park Agency who will provide support. Mr. Vanselow requested that the Town Board appoint the following members to the committee: Eugene Arsenault, Ken Murray, Jean Comstock, Anne Morse and himself; he added that he hoped to hold a meeting as soon as possible and that he may reach out to some of the other residents who expressed an interest in being appointed to the Planning Board.

#### RESOLUTION NO. 31

Mr. Stevens presented the following resolution and moved its passage with a second from Mr. Arsenault to appoint the following Town of Johnsbury residents as members of the Housing Incentive and Zoning Committee: Ronald Vanselow, Eugene Arsenault, Ken Murray, Jean Comstock and Anne Morse. With 5 members voting in favor the resolution is declared carried. Ayes-5 (Arsenault, Morehouse, Stevens, Vanselow, Goodspeed) Nays - 0

Supv. Goodspeed asked Town Attorney Jordan if he had found a response to the question of the Planning Board using the Post Star. Attorney Jordan replied that once a Town declares an official newspaper that all official notices must be published in that newspaper; the Town board can designate two official newspapers, however, all notices would need to be published in both newspapers. The Town cannot have one newspaper for the Town board and another for the Planning Board or other boards; so the short answer is no.

#### NEW BUSINESS

Supv. Goodspeed noted that Zoning Enforcement Officer Edward Tuttle was present to discuss signs and the Local Land Use Plan; Supv. Goodspeed continued that the problem was to

find a way for the ZEO follow up on sign problems. Attorney Jordan explained that the Zoning Law prohibits any off premises signs and that the Adirondack Park Agency would not approve a Land Use Plan without such a Sign Law. Supv. Goodspeed asked if the ZEO can go onto private property to remove an illegal sign; Attorney Jordan replied that if the landowner is given notice that he can and that either civil or criminal proceedings can be filed versus the property owner either by the ZEO or the Town Attorney in the Town Justice Court. The recourse for a landowner if the ZEO is upheld in justice court is to request a sign permit if the sign is otherwise legal or apply for a variance to make the sign legal; sign variances are not easy to obtain under the Local Land Use Plan. Mr. Erwin Morris asked for an equal playing field regarding sign removal; Supv. Goodspeed said that he had received several calls regarding the issue and asked Attorney Jordan about prioritizing the removal. Attorney Jordan answered that the ZEO could only do what he was able during his scheduled work tome and suggested making those signs in the right of way, which are dangerous as they block vision, the top priority. Mr. Tuttle suggested publishing the Land Use Plan Laws again; Mr. Vanselow agreed with this. Attorney Jordan and Mr. Erwin Morris suggested using the Town Newsletter for explaining the issue. Supv. Goodspeed agreed, but noted that the Town computers can't publish the newsletter to the Town website. The newsletter in the Jaguar Jottings is being done.

Supv. Goodspeed next discussed the North Creek Water District; he noted that a certified operator is needed. Following the delivery of the letter of resignation from Water District Supt. Charles Rawson the system has been covered by a combination of an operator from the Warrensburg Water District and Parks and Buildings Supt. Matt Olden under the direction of licensed engineer James Hutchins; Supv. Goodspeed thanked Matt Olden who had worked eighty-six hours the first week of the problem. As a long term solution Supv. Goodspeed suggested to the Town board the hiring of Delaware Operations at an annual cost \$20,000.00 to perform the daily operations. Delaware Operations has said that they will have three certified operators available to ensure full coverage and the New York State Dept. of Health is willing to agree with their hiring as the operator. Supv. Goodspeed noted that the savings to the Town would be substantial – approximately \$9,000.00 annually in benefits paid to the Water District Supt. and the fee would be \$900.00 less than the annual salary. Attorney Jordan explained that as this would be a professional services contract that a bid process was not necessary and that the contract could be cancelled at any time. Mr. Arsenault asked about the coverage; Supv. Goodspeed answered that there would be as much coverage as before. Mr. Robert Nettle asked about the working hours and the support from the deputy; Supv. Goodspeed replied that Supt. Rawson wanted to use the deputy as an assistant and the Town Board had envisioned the deputy as a temporary replacement for one weekend per month. Mrs. Kelly Nettle asked if any of the operators would be local hires; Supv. Goodspeed answered that the Town can't address the hiring by a private company, he added that Charles Rawson may very well be one of the operators for Delaware Operations.

#### RESOLUTION NO. 32

Mr. Stevens presented the following resolution and moved its passage with a second from Mr. Arsenault that the Town Board accepts the resignation of Charles Rawson as North Creek Water District Superintendent with thanks for his work; and further, that the Town Board abolishes the positions of North Creek Water District Superintendent and Deputy to the North Creek Water District Superintendent; and further, that the Town Board authorizes the Town

Supervisor to enter into a personal services contract with Delaware Operations for the treatment and maintenance of the North Creek Water District with the understanding that said company will make three certified operators available and upon review of the contract by the Town Attorney and Engineer James Hutchins and at a cost of no more than \$20,000.00 annually. With 5 members voting in favor the resolution is declared carried. Ayes-5 (Arsenault, Morehouse, Stevens, Vanselow, Goodspeed) Nays - 0

Supv. Goodspeed distributed copies of his Budget Reform Memorandum attached page 6a) to the members of the Town Board; he had planned to distribute the memorandum at the Budget Advisory group meeting of February 1<sup>st</sup> which he cancelled due to poor weather. He explained that the meeting of February 15<sup>th</sup> at the Wevertown Community Center at 4:00pm was being held. Supv. Goodspeed apologized for not having more copies to distribute to the public.

Supv. Goodspeed informed the Town Board that he has received a request from an adjacent property owner to purchase a parcel of Town Property in Bakers Mills. The property size is six tenths of an acre and is on Bateman Road. Supv. Goodspeed asked Town Attorney Jordan the procedure for disposing of a parcel of Town property. Attorney Jordan answered that the first step is to declare the property to be excess by Town Board resolution; the resolution is subject to permissive referendum. If there is no permissive referendum or if the parcel sale passes the vote it may be sold by any of the following methods: sealed bid, listing with a realtor, or by direct negotiation. The property must be sold at or above market value. Mr. Stevens asked if it was a build able lot; Supv. Goodspeed said that he would get more information.

Supv. Goodspeed recognized Ski Bowl Park Committee Chairperson Jill Broderick for a discussion of Ski Bowl Park issues. Ski Bowl Park Committee Chairperson Jill Broderick noted that the Winter Extravaganza was well attended, affordable and brought attention to the park; she added that the committee would like to suggest an additional park event for February. The event would be an annual Town of Johnsburg ski race; Supv. Goodspeed added that there used to be such an event in the 1930's. Ms. Broderick informed the Town Board that the Ski Bowl Park Committee is looking for an updating of the plan for the park made by Saratoga Associates in 1997 as a result of the changes in the park. Supv. Goodspeed suggested that as a result of conversations with the L.A. Group that he believed that they would be willing to revisit the plan at no additional cost to the Town. Also she added that the Ski Bowl Park Committee would like to eradicate the road and parking near the Little League Field. Ms. Broderick informed the Town Board that the following two members of the Ski Bowl Park Committee: Nancy Ness and Edward Wyant had left the committee. After a short discussion it was agreed that the Town Board has left the filling of vacancies on the Ski Bowl Park Committee to the committee members themselves. Ms. Kelly Nettle asked that the Town Board authorize the re-application for funding for a lighted multi-use field to be located in the Ski Bowl Park in the amount of approximately \$220,000.00 in a member item from Congresswoman Gillibrand.

#### RESOLUTION NO. 33

Mr. Arsenault presented the following resolution and moved its passage with a second from Mr. Morehouse that the Town Board authorizes and acknowledges the 2008 reapplication for funding for a lighted multi-use field to be located in the Ski Bowl Park in the amount of approximately \$220,000.00 in a member item from Congresswoman Gillibrand. With 5

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

Ms. Kelly Nettle also asked that the Town Board authorize applications in the amount of \$12,000.00 each to State Senator Elizabeth (Betty) Little and Member of the Assembly Teresa Sayward for the purpose of assisting in the match for the New York State Office of Parks, Environmental Protection Fund grant for the Ski Bowl Park in the amount of \$57,910.00 and that the Town Board also authorize the Town Supervisor to write a letter in support of these requests.

#### RESOLUTION NO. 34

Mr. Arsenault presented the following resolution and moved its passage with a second from Mr. Stevens that the Town Board authorizes and acknowledges applications in the amount of \$12,000.00 each to State Senator Elizabeth (Betty) Little and Member of the Assembly Teresa Sayward for the purpose of assisting in the match for the New York State Office of Parks, Environmental Protection Fund grant for the Ski Bowl Park in the amount of \$57,910.00 and further, that the Town Supervisor is authorized to write a letter in support of these requests. With 5 members voting in favor the resolution is declared carried. Ayes-5 (Arsenault, Morehouse, Stevens, Vanselow, Goodspeed) Nays - 0

Supv. Goodspeed recognized Mr. Robert Nettle to give an update on the skating area at the Ski Bowl Park. Mr. Nettle reported that there was new ice for skating; there did not seem to be many skaters and he was hoping for more usage and requested that the skating be mentioned in the Town newsletter.

Supv. Goodspeed noted he had received approximately six complaints about Building Code enforcement by the Warren County Code Enforcement Department; he had looked at two sites in North Creek and attempted to insure better communications between the county and the builders. Supv. Goodspeed explained that he will continue to liaison between the builders and the enforcement department to ensure good projects with proper and timely inspections.

Supv. Goodspeed informed the Town Board that as a result of the N.Y.S. voting machine mandates that Warren County has received what amounts to an unfunded mandate to provide a central storage building for voting machines which will probably cost between two and three million dollars and that this cost will probably increase the county tax. Mr. Morehouse added that the building, which will have to accommodate between seventy and one hundred forty voting machines, will probably need to be about 10,000 square feet and have a large cost attached.

Supv. Goodspeed updated the Town Board on planned improvements by Warren County at the Kellogg Property in North Creek. Warren County is acquiring the Kellogg Property from the Open Space Institute under certain conditions and has a small amount of money available for use at the site. Warren County plans to do a "Request for Proposal" for the site and to construct a small pavilion on the site. The pavilion will be an aid to both the White Water Derby and the Thomas the Tank events in May; the county expects to have the pavilion completed by the first weekend in May. Mr. Joseph LaRocque asked if the boat launch area would be created as well; Supv. Goodspeed explained that the boat launch would need additional permitting and could be done later. Ms. Kelly Nettle asked about the haste to spend the money; Supv. Goodspeed

answered that the project has been under discussion for two years and that the money is available in the current funding cycle.

Supv. Goodspeed noted that the next regular Town Board Meeting is scheduled be Thursday, February 21, 2008 at the Town Hall (Library), North Creek, NY; as the library is open until 7:00pm it will be impossible to set the room up for the meeting. Supv. Goodspeed requested that h the Town Board reschedule the meeting for the same day and time, Thursday, February 21, 2008 at 7:00pm, but to the Wevertown Community Center, Wevertown, NY; he also asked that the Executive Session interviews for the Planning Board scheduled to begin at 6:00pm on Thursday, February 21, 2008 at the Town Hall (Library), North Creek, NY also be rescheduled to the same day and time in the Wevertown Community Center, Wevertown, NY

#### RESOLUTION NO. 35

Mr. Arsenault presented the following resolution and moved its passage with a second from Mr. Stevens that the Town Board Meeting currently scheduled for Thursday, February 21, 2008 at 7:00pm at the Town Hall (Library), North Creek, NY be rescheduled for Thursday, February 21, 2008 at 7:00pm at the Wevertown Community Center, Wevertown, NY; and further that the Executive Session interviews for the Planning Board scheduled to begin at 6:00pm on Thursday, February 21, 2008 at the Town Hall (Library), North Creek, NY also be rescheduled for Thursday, February 21, 2008 at 6:00pm at the Wevertown Community Center, Wevertown, NY; and further that the Town Clerk is authorized to notice this change in the North Creek News-Enterprise and by posting in various locations about the Town. 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 had received the annual engineering services contract from Clough-Harbour and Associates to act as engineer for the Town on larger projects before the Planning Board and asked the Town Board for permission to sign the contract. Mr. Stevens asked if the Planning Board is satisfied with the services of Clough-Harbour and Associates as engineer; Supv. Goodspeed replied that the Planning Board seems satisfied.

#### RESOLUTION NO. 36

Mr. Arsenault presented the following resolution and moved its passage with a second from Mr. Morehouse that the Town Board authorizes the Town Supervisor to sign the annual engineering contract with Clough-Harbour and Associates subject to the approval of the Town Attorney. With 5 members voting in favor the resolution is declared carried. Ayes-5 (Arsenault, Morehouse, Stevens, Vanselow, Goodspeed) Nays - 0

Supv. Goodspeed reported to the Town Board regarding a minor act of vandalism at the Ski Bowl Park; someone had poured red paint on the ice rink making it appear that a serious injury had occurred. The event occurred in the early morning hours between O.R.D. A. employees leaving at night and the Town employees arriving to perform a building check in the morning. The paint has been cleaned up and the ice restored for use.

Supv. Goodspeed distributed the Annual Report from the Town Historian, Mrs. Doris Patton, for the year of 2008, to the members of the Town Board.



Supv. Goodspeed distributed the Town of Johnsburg Parks Department Annual Report for December 12, 2006 through December 31, 2007, to the members of the Town Board.

Supv. Goodspeed distributed minutes of the meeting of the Tannery Pond Community Center Association held on January 14, 2008, to the members of the Town Board.

Supv. Goodspeed distributed the monthly report of the Zoning Enforcement Officer, Mr. Edward Tuttle, for the month of January 2008, to the members of the Town of Johnsburg Town Board.

Supv. Goodspeed distributed the Supervisor's Monthly Report, for the month of January 2008, to the members of the Town of Johnsburg Town Board.

Supv. Goodspeed informed the Town Board that he had received a resolution from the Adirondack Association of Towns and Villages regarding the recent court decision on New York State paying taxes on Forest Preserve lands to the municipalities in the Adirondack Park. Supv. Goodspeed read the following resolution and asked if a Town Board member would move the resolution and if there was a second; Mr. Stevens moved it and Mr. Morehouse seconded the resolution for purposes of discussion. Supv. Goodspeed said that the resolution was much broader than he had been led to believe. Mr. Vanselow said that the resolution was too broad, too politicized and too inflammatory; Mr. Arsenault agreed it was too broad an action. Ms. Jill Broderick agreed with the Town Board members in the resolution being too broad. Mr. Morehouse offered to withdraw his second; Mr. Stevens asked for a vote and Supv. Goodspeed called for a vote with the following result.

RESOLUTION NO. 37

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

RESOLUTION  
In Support of Continued State Tax Payments  
on State-Owned Land in the Adirondack Park

WHEREAS, the state Legislature first authorized New York State in 1886 to make payments to local governments for property taxes on state-owned land, and

WHEREAS, since 1894, when the Adirondack Park Forest Preserve was established by Article 7 of the state Constitution, the state has been purchasing private lands in the Adirondack Park for inclusion in the Forest Preserve, and

WHEREAS, the state's designation of millions of acres of land as Forest Preserve has sharply reduced and in some places eliminated opportunities for most economic activity in Adirondack Park communities, in contrast with the broad opportunities for growth available in other communities across the state, and

WHEREAS, state-owned Forest Preserve comprises a majority of all property – as much as 96 percent – in some communities in the Adirondacks, and

WHEREAS, the state Legislature authorized acquisition of private lands in the Adirondacks as a benefit to all state residents, and as such, bears the responsibility for sharing the continuing costs associated with those properties, such as road maintenance and local emergency response protection, rather than imposing these costs on the declining number of local property taxpayers in Adirondack communities whose ability to pay taxes has been sharply restricted by the loss of economic growth associated with the acquisitions, and

WHEREAS, Adirondack Park Agency regulations have further reduced economic opportunities on the land that remains in private ownership, thereby further restricting job growth and economic opportunity in the regions, and

WHEREAS, the combination of vast state land ownership and heavy state regulation of private land has helped to create an economy in many Adirondack communities that is largely dependent on local and state government and school districts as the major employer and economic force, and

WHEREAS, New York State's determination to continue to convert more private land into Forest Preserve in the Adirondack Park, combined with increasing APA regulation, sets up a perpetual cycle of slow economic decline that had been only minimally leavened by the state's payment of property taxes to local communities, which if withdrawn, as a consequence of recent court decision, would cause a catastrophic collapse of essential local government services in some Adirondack communities,

THEREFORE BE IT RESOLVED, the Town of Johnsbury hereby calls on Gov. Spitzer and the state Legislature to defer all future state acquisition of private land in the Adirondacks until such time as the Governor and Legislature provide an irrevocable guarantee that there will be no interruption, reduction or loss in tax payments to local governments on Forest Preserve and other state-owned land and property on which the state holds conservation easements in the Adirondack Park, and that these payments continue in perpetuity, and

BE IT FURTHER RESOLVED, the clerk shall send a copy of this resolution to Governor Spitzer, the state's legislative leaders and Adirondack-region representatives, and

BE IT FURTHER RESOLVED, a copy of this resolution shall also be forwarded by the clerk to the Adirondack Park Local Government Review Board.

With 1 member voting in favor and 4 members voting opposed the resolution is declared to be defeated. Ayes-1 (Stevens) Nays - 4 (Arsenault, Morehouse, Vanselow, Goodspeed)

#### PRIVILEGE OF THE FLOOR

Mrs. Kelly Nettle asked if the issue of state tax payments on Forest Preserve Land will be addressed; Supv. Goodspeed, Mr. Stevens and Mr. Vanselow all quickly responded that the issue will be addressed at the next regular meeting of the Town Board.

Mr. James Jones asked if the Parking Ordinance for alternate side parking on Main Street in North Creek was still to be enforced as the County plow trucks were swerving around parked cars along the street. Supv. Goodspeed replied that he had received several calls about the Warren County DPW plowing and cleanup on Main Street in North Creek; he reported that the

county had experienced numerous breakdowns and that the timing of the storm caused problems in dealing with the snow, but he hoped that the situation would be improved for the next storm.

RESOLUTION NO. 38

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 #3G/Claims #39-67; Highway Fund- Warrant #3H/Claims #25-38; North Creek Water Dist.- Warrant #3W/Claims#7-13. 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 10:05pm. 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 21, 2008 at the Wevertown Community Center, Wevertown, NY; prior to the meeting there will be executive session interviews of applicants for the Planning Board vacancies beginning at 6:00pm.

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Prepared by William Rawson, Town Clerk