

**Minutes of the Town of Johnsbury Regular Board Meeting January 19, 2010
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 January 19, 2010 at 7:00pm at the Town Library, North Creek, NY Supervisor Goodspeed called the meeting to order at 7:03pm 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. 24

Mr. Morehouse presented the following resolution, and moved its passage with a second from Mr. Vanselow, to accept the minutes of the January 5, 2010 Organizational 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 the North Creek Business Alliance requesting that the Town Board explore the possibilities of grant funding for a municipal sewer system in the hamlet of North Creek.
2. A letter from the Johnsbury Historical Society thanking the Town Board for support of its operations by supplying a meeting space and a place to house its collection.
3. A letter from Mr. Benjamin Gadway informing the Town Board of his interest in the Animal Control Officer position.
4. A letter from Ms. Cherie Ferguson informing the Town Board of her interest in the Animal Control Officer position.
5. A letter from the Town of Johnsbury Library Board of Trustees asking that the Town Board authorize the addition of Mr. Steve Tomb to the Library Board of Trustees and informing the Town Board of their officers.
6. A letter from Thermal Associates asking that the Town Board authorize the 2010 maintenance contracts for the air conditioning systems in the Tannery Pond Community Center and the Town of Johnsbury Library.
7. A letter from the North Country Hardship Fund, Inc. requesting that the Town Board allow the charity the use of the pavilion area in the Ski Bowl Park August 6th through 8th for their Waynestock fundraiser and also, they ask that the Town Board extend the curfew at the park until midnight on August 7 for the event.
8. Two Agreements to Expend Highway Funds for Town Board Approval from Town Superintendent of Highways Daniel Hitchcock.

COMMITTEE REPORTS:

OLD BUSINESS:

Supv. Goodspeed noted that during the correspondence portion of the meeting that a letter from the North Creek Business Alliance was read regarding construction of a municipal septic system. Supv. Goodspeed asked North Creek Business Alliance member Joel Beaudin to expand

on the letter; Mr. Beaudin said that the North Creek Business Alliance believed that it was an appropriate time to look into this project due to the possibility of obtaining federal stimulus funding, as well as, burying power lines, adding curbing, crosswalks and new paving. Supv. Goodspeed explained that Mr. James Suozzo, P.E., Mr. Thomas Suozzo and Mr. Charles Rawson from Delaware Engineering were present to discuss looking into the possibility of applying for federal stimulus funding for a municipal wastewater treatment plant. Mr. James Suozzo noted that there are many issues involved in moving a project such as this forward and that the window for funding is closing; he added that Clough Harbour had done a study for the entire Town of Johnsburg several years previously. Mr. James Suozzo explained that with one hundred percent grant funding (unlikely) the annual operation cost per household would be about five hundred dollars; a smaller system with the business district and some residential properties might cost three hundred dollars annually per household, but would receive much lower grant funding for construction; he added that seventy-five percent grant funding was more probable for an engineering study. Mr. James Suozzo said that Elizabethtown was pursuing a system with an annual operating cost of three hundred and sixty dollars per household and it was not expected to pass a referendum. It would be necessary for the project to have solid support in order to pass the required referendum. Supv. Goodspeed asked if the inclusion of the Front Street development would make the discussion more viable; Mr. James Suozzo replied that the volume would help, but that the construction would be too late for stimulus funding. Mr. Thomas Suozzo said that there was funding through the NYS Department of Environmental Conservation and the federal Environmental Protection Agency and possibly funding through the US Department of Agriculture. The USDA funding would probably be at about forty-five percent and need to be done in six to eight months; the NYS DEC funding would probably be at about seventy-five percent if an order to do so was issued. Supv. Goodspeed believed that the order to do the project could be a gamble if the funding was not forthcoming. Mr. Vanselow noted that the Clough Harbour study was about eight and one half years old; he suggested a committee of interested parties to look into viable alternatives. Mr. James Suozzo said that within twenty years the DEC will force the construction of a municipal Sewer system in the hamlet of North Creek. Supv. Goodspeed agreed with the plan of creating a committee for study including Delaware Engineering, Mr. Joel Beaudin, Robert Nettle, Mike Bowers, Mr. Vanselow and himself. Mr. Robert Nettle suggested that ORDA be included in the system as well. Mrs. Kelly Nettle suggested contacting Front Street and Supv. Goodspeed agreed that it would be possible; Secretary Cherie Ferguson reminded the Town Board that Front Street had planned to build a treatment plant for its development. Mr. James Suozzo said that if ORDA and Front Street were included that the system would be a much larger and more costly operation.

Supv. Goodspeed said that he believed that having Delaware Engineering as the operator of the North Creek Water District for the past two years had worked well for the Town and asked that the Town Board authorize his signing a one year for 2010 for the company to continue as the operator of the North Creek Water District. Mr. Arsenault asked if there was a cost increase over the 2009 contract; Supv. Goodspeed replied that the cost increase was less than two hundred dollars for the year.

RESOLUTION NO. 25

Mr. Morehouse presented the following resolution, and moved its passage with a second from Mr. Arsenault, to authorize Supv. Goodspeed to execute the contract with Delaware Engineering to operate the North Creek Water District for the year of 2010. 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 Attorney has drafted a Workplace Violence Program which the Town Board members had received tonight for their review; Supv. Goodspeed asked that they review the program in order to move forward with it at their next regular meeting.

Supv. Goodspeed noted that the Town Board had received a request from the Thurman Connection Snowmobile Club to authorize his signing of a notification to National Grid that the Town Board has no objection to the use of the National Grid power line property by the snowmobile club. Mr. David Bulmer asked if this agreement would include Town easements as well; Mr. Robert Nettle asked if this agreement was the same as previous years and if it is different that it should be discussed by the Planning Board. Supv. Goodspeed asked that this item be tabled for further discussion at the next regular Town Board meeting.

Supv. Goodspeed reminded the Town Board that as a part of the security arrangements with the developers of the Top Ridge project to assure the proper installation of the water supply and wastewater systems that the Town Board had required from the developers a line of credit for each system. Supv. Goodspeed noted that each of the systems has been properly installed and the developers are requesting that the Town Board authorize the release of the lines of credit. Mr. Robert Nettle asked if this meant that the new water line was now a part of the North Creek Water District; Supv. Goodspeed replied that it was.

RESOLUTION NO. 26

Mr. Vanselow presented the following resolution, and moved its passage with a second from Mr. Arsenault, to authorize Supv. Goodspeed to issue a letter to the developers of the Top Ridge project which will release the lines of credit which the Town Board had required to guarantee the proper construction of the water supply and wastewater systems for the project. With 5 members voting in favor, the resolution is declared carried. Ayes-5 (Arsenault, Morehouse, Stevens, Vanselow, Goodspeed) Nays - 0

Supv. Goodspeed noted that with the elimination of a position at the Transfer Station/Parks Department and the ending of curbside recycling collection that some restructuring of duties in the Parks Department and at the Transfer Station have been made. Town buildings checks will be done by other Town employees instead of Parks Department employees; Mr. James Jones has been contacted to clear fire hydrants in place of the Parks Department employees; on weekends the Transfer Station hours will be expanded to 9:00am to 5:00pm. Supv. Goodspeed said that he will be watching the Parks Department scheduling during the spring season as it will become even busier and may require additional changes. Supv. Goodspeed noted these changes, especially the additional hours at the Transfer Station, have been accomplished without the loss of the savings obtained through the elimination of the Parks Department position. Mr. Vanselow asked that the recycling versus trash usage be kept for review to see the effect of stopping the curbside recycling collection; Supv. Goodspeed replied that he expected a diminished recycling usage and a short term lowering of trash ticket sales as there had been a large sales increase prior to the fee increase in January. Accounts Clerk Candace Lomax said that both the recyclable and trash can and are being tracked by weight and that the previous year's figures are available for comparison. Both Mr. Morehouse and Mr. Vanselow

expressed interest in following the results. Mr. Robert Nettle informed the Town Board that he has spoken with an individual who may be interested in privately collecting recyclables at a cost to the public and asked about delivery to the Transfer Station; Mr. Vanselow said that he doesn't see that the Town needs to be involved as there was no charge to drop off recyclables to the site. Supv. Goodspeed said that he would be willing to discuss the venture with the individual. Mr. Joseph LaRocque asked if there was any revenue from recyclables; Supv. Goodspeed and Accounts Clerk Lomax replied that the only revenue was from the removal of scrap metal. Supv. Goodspeed asked that the Town Board conceptually approve of the changes he described.

RESOLUTION NO. 27

Mr. Arsenault presented the following resolution, and moved its passage with a second from Mr. Vanselow, that the Town Board conceptually approves of the following Parks Department and Transfer Station changes as outlined by Supv. Goodspeed: Town buildings checks will be done by other Town employees instead of Parks Department employees; Mr. James Jones has been contacted to clear fire hydrants in place of the Parks Department employees; on weekends the Transfer Station hours will be expanded to 9:00am to 5:00pm and that additionally; the Parks Department scheduling may need further adjustment during the spring season as it will become even busier. With 5 members voting in favor, the resolution is declared carried. Ayes- 5 (Arsenault, Morehouse, Stevens, Vanselow, Goodspeed) Nays - 0

Supv. Goodspeed provided an update on the results of the RFP (Request for Proposal) issued by the Warren County Board of Supervisors regarding the operation of the train for the 2011 season. Supv. Goodspeed said that the RFP was a result of adjustments to the specifications of the bidding documents; the result of the RFP was only one proposal from the current operator and also a shift of rail maintenance expense to Warren County. Supv. Goodspeed added that he, personally, was not surprised that there was only the one response; he noted that the current operator makes only a small profit. Supv. Goodspeed said that the line would be more profitable if it extended to Saratoga Springs; it would require more upgrades from the operator. Mr. Arsenault asked if the funding was in place to make the connection; Supv. Goodspeed replied that it was. Mr. Arsenault said that it appears that the Warren County Board of Supervisors is backing away from the project; Supv. Goodspeed agrees, but noted that if Warren County ceases operation that substantial grant funds will need to be repaid. Mr. Peter Heid noted that all scenic railroads lose ridership annually. Mr. Ken Dessoir asked how the railroad benefits the normal non-business taxpayer in the Town. Supv. Goodspeed answered that while it may not directly benefit the taxpayer that the railroad does employ about fifteen individuals and bring in additional tourist revenue. Mr. Dessoir said that if business taxes are the same as residential taxes that he still does not see a benefit to the non-business taxpayer. Mr. Peter Heid noted that a business such as Creative Stage Lighting pays taxes, while the railroad costs tax dollars. Supv. Goodspeed replied that the cost to taxpayers is not as great as reported in the Glens Falls Post Star and not more than one million dollars; Mr. Peter Heid replied that one must count all tax dollars, not only Warren County dollars. Supv. Goodspeed disagreed, saying that it was better to be receiving outside tax dollars for economic improvement than not attempting to improve the economic situation. Supv. Goodspeed noted that it was time to move forward in the agenda.

Supv. Goodspeed reminded the Town Board that each year the Animal Control Officer position must be filled by Town Board appointment; at the Organizational Meeting on January 5, the Town Board passed Resolution Number 3 authorizing the Town Clerk to advertise for two weeks in the North Creek News Enterprise, for letters of interest in filling a vacancy in the position of Animal Control Officer for the year of 2010. Supv. Goodspeed noted that the Town has received some interest in the position, including two letters read during the Correspondence portion of this meeting. Supv. Goodspeed said that there have been some discussions about what can be discussed in public session versus an executive session discussion. Supv. Goodspeed explained that generally if the discussion is regarding a specific employee's performance the discussion should be held in executive session. Supv. Goodspeed noted regarding the disability issue that generally if a person is collecting disability from one position and functioning in another position that he cannot be paid disability for the first position and in addition, the Town Attorney has said that appointing an individual who is on disability could prove to be a liability to the Town. Supv. Goodspeed explained that the Town Board could either reappoint the previous Animal Control Officer who would then lose his disability from his other position, or continue with the advertising.

RESOLUTION NO. 28

Mr. Vanselow presented the following resolution, and moved its passage with a second from Supv. Goodspeed to continue with the advertising process for Animal Control Officer up to February 2, 2010 and to schedule interviews prior to the next Town Board meeting on February 2, 2010. With 2 members voting in favor, and 3 voting against the resolution is declared not to be carried. Ayes-2 (Vanselow, Goodspeed) Nays - 3 (Arsenault, Morehouse, Stevens)

Mr. William Mosher said that he was not collecting disability from the Highway Department position; Supv. Goodspeed said that he just wanted the Town Board to understand the position. Mr. Stevens said that the issue of possible loss of disability was of no consequence to the discussion and added that he would present a motion to reappoint Mr. William Mosher as Animal Control Officer. Mr. Arsenault said that he believed that the issue was that of having an individual in a position for a number of years and not discussing problems with the employee prior to making a move to replace him. Supv. Goodspeed replied that he saw it differently noting complaints about a lack of response and service by the office holder. Mr. Arsenault asked Supv. Goodspeed if he had discussed the problems with the office holder; Supv. Goodspeed replied that he did not as he believed that it would not be fruitful to do so. Mr. Stevens said that it was the responsibility of the Town Board to discuss questions of performance with an employee prior to dismissal and in the case of the Animal Control Officer this was not done and should have been. Mr. Vanselow said that the Town Board is in the same position as last year and that he simply wanted to open up the discussion and that it was not without precedent as the Town Board had advertised for applicants for the Zoning Enforcement Officer position. Mr. Arsenault replied that he respected that Mr. Vanselow had concerns about the Animal Control Officer position, but would be happier with a discussion with the previous office holder about issues. Sect. Cherie Ferguson said that there were numerous calls and contacts with the Animal Control Officer about concerns over performance; Mr. Arsenault replied that the Town Board should have discussed the issues with him. Mr. Peter Heid asked why the issues weren't addressed. Mr. David Bulmer said that it

seemed to be very near crossing the line about discussing job performance. Supv. Goodspeed said that the Town Attorney had given him very clear parameters on the discussion of this matter. Both Mr. Arsenault and Mr. Vanselow agreed about the discussion getting close to being a specific personnel issue. Supv. Said that he would vote against a motion to appoint Mr. Mosher as Animal Control Officer; he added that he has heard four or five complaints about Mr. Mosher's job performance.

RESOLUTION NO. 29

Mr. Stevens presented the following resolution, and moved its passage with a second from Mr. Morehouse to rescind Resolution Number 3 of 2010 and to appoint Mr. William Mosher as Animal Control Officer for 2010 with the condition of a meeting between Mr. Mosher and either the personnel committee or the full Town Board in executive session to discuss concerns regarding the performance of the job of Animal Control Officer. With 2 members voting in favor, and 3 voting against the resolution is declared not to be carried. Ayes-2 (Morehouse, Stevens) Nays - 3 (Arsenault, Vanselow, Goodspeed)

Mr. Peter Heid asked what good the condition would have been if already appointed; Mr. Stevens replied that the Town Board has not yet set down with Mr. Mosher to discuss any problems with job performance. Mr. Joel Beaudin asked why there have been no previous discussions with Mr. Mosher regarding job performance.

RESOLUTION NO. 30

Mr. Arsenault presented the following resolution, and moved its passage with a second from Supv. Goodspeed that the Town Board meet with Mr. William Mosher in executive session to discuss his performance as Animal Control Officer following the regular portion of the Town Board meeting on February 2, 2010 and to then determine whether Mr. Mosher should be appointed as Animal Control Officer for 2010. With 3 members voting in favor, and 2 voting against the resolution is declared carried. Ayes-3 (Arsenault, Vanselow, Goodspeed) Nays - 2 (Morehouse, Stevens)

NEW BUSINESS

Supv. Goodspeed recognized Mr. Al Grippaldi and Mr. David Bulmer, representing the Tall Timbers development project, currently pending before the Planning Board, for a presentation on the problems which the development has faced regarding the Planning Board. Mr. Grippaldi said that in July of 2009 that he applied for final subdivision approval from the Planning Board; on September 1, 2009, a meeting was held involving Supv. Goodspeed, Planning Board Chairman Osterhout, other Town officials and by telephone, the Town Attorney. The result of that meeting was the scheduling of a workshop meeting; Mr. Grippaldi said that at that meeting all information requested by the Planning Board was supplied to them; the information was sent to the Planning Board engineering firm and the item was planned to be on the Planning Board agenda for December 2009. Mr. Grippaldi said that he was notified shortly before the meeting that the item was removed from the schedule as the engineering report would not be ready; upon contacting the engineering firm he was told that the report could have been finished for the meeting. Mr. Grippaldi made the following complaints: that the Planning Board was slowing his application, wasting his money with unnecessary engineering requests, and not following their procedures. Mr. David Bulmer said that the

Planning Board had not notified Tall Timbers in writing following the preliminary approval, as in the regulations; he added that at the workshop meeting that the Planning Board did not want to look through the materials. Mr. Grippaldi and Mr. Bulmer requested that the Town Board assist them with the Planning Board and look into the way that the Planning Board deals with applicants. They added that the Planning Board members had allowed personal attitude to enter the planning process and that some of the members actions had been borderline criminal or unethical. Supv. Goodspeed replied that it was not the job of the Town Board to judge projects or the Planning Board. Supv. Goodspeed said that there seems to be a breakdown of communications; the Planning Board says that all requested information was not submitted and some information was returned to the developer. Supv. Goodspeed said that he believes that the Town Attorney should be present for future Planning Board meetings to assure that the procedures are followed and that the developer receives clear messages from the Planning Board. Mr. Bulmer said that the Town Board has a responsibility to assure that the Planning Board is properly representing the Town; Supv. Goodspeed replied that the best solution was to have the Town Attorney present at future meetings. Mr. Arsenault asked if the Town Attorney was aware of the state of the process; Supv. Goodspeed that he was. Mr. Vanselow said that he has a letter from the engineer by way of the Planning Board. Mr. Grippaldi asked for the letter; Mr. Vanselow said that he believed that the letter had been forwarded to the Tall Timbers attorney from the Town Attorney. Supv. Goodspeed said that the Town Attorney would be present to protect the Town from liability and to ensure fair play. Supv. Goodspeed said that he would speak to the Town Attorney and look at releasing the engineer's letter tomorrow. Mr. Grippaldi and Mr. Bulmer complained that the Planning Board had spent escrow money on items that were not in its power to review and that documentation of the expenses had not been forthcoming. Supv. Goodspeed replied that the documentation had been made available, but not collected by the developer. Mrs. Kelly Nettle suggested that it may be time to look into a paid Planning Board. Supv. Goodspeed said that he didn't believe that anything further would be accomplished tonight.

Supv. Goodspeed explained to the Town Board that Galusha & Sons was requesting permission to use Town property located on Goodman Road as a staging area for lumbering operations on an adjoining lot; the request noted the dates January 6, 2010 through January 20, 2010. Supv. Goodspeed asked that the Town Board authorize him to sign the land use release to allow Galusha & Sons to use the property once the correct dates are determined.

RESOLUTION NO. 31

Mr. Stevens presented the following resolution, and moved its passage with a second from Mr. Arsenault that the Town Board authorizes the Town Supervisor to sign the land use agreement to allow Galusha & Sons to use the Town property located on Goodman Road as a staging area for lumbering operations on an adjoining lot once the correct dates are determined. 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 agreement between the Town of Johnsbury and the Johnsbury Emergency Squad necessary to finalize the building grant request of the Johnsbury Emergency Squad has not yet arrived from the Town Attorney. Supv. Goodspeed asked that

the Town Board authorize his signing of the document following its arrival from the Town attorney.

RESOLUTION NO. 32

Supv. Goodspeed presented the following resolution, and moved its passage with a second from Mr. Arsenault that the Town Board authorizes the Town Supervisor to sign the housing agreement between the Town of Johnsbury and the Johnsbury Emergency Squad when it is produced by 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 noted that in an oversight that there had been no appointment of a Petty Cash Officer for the Town of Johnsbury for the year of 2010; he requested that the Town Board authorize the appointment of Accounts Clerk Candace Lomax to the position.

RESOLUTION NO. 33

Supv. Goodspeed presented the following resolution and moved its passage with a second from Mr. Arsenault 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 2010. 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 in its application the Hudson River White Water Derby understanding that previous awardees would lose twenty-five percent as a result of their previous funding and made their application for twenty-five percent less than their need. The Occupancy Committee then reduced the application by twenty-five percent. Mr. David Bulmer said that this resulted in a loss of approximately \$300.00 in possible funding. Supv. Goodspeed asked if there was a positive balance in the Occupancy Tax fund to allow for increasing the award; Sect. Cherie Ferguson replied that there was about \$1800.00 available. Supv. Goodspeed asked if the Town Board wished to increase the award to the Hudson River White Water Derby for \$300.00 to correct the error. Mrs. Kelly Nettle suggested that the application form be tweaked to clarify that the Occupancy Tax Committee would make any appropriate deductions.

RESOLUTION NO. 34

Mr. Vanselow presented the following resolution, and moved its passage with a second from Mr. Morehouse that the Town Board increase the previously award to the Hudson River White Water Derby in the amount of \$900.00 for the purpose of advertising the Annual Hudson River White Water Derby by \$300.00 to a total of \$1200.00 in order to correct the misunderstanding by that committee on how to correctly apply for the Occupancy Tax funding. . 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 Mr. Joseph Connelly was traveling to Haiti with a medics group in response to the recent earthquake and that the internet address for the group was “NVC medics.org”

Supv. Goodspeed asked the Town Board for authorization to execute the annual service contract with Thermal Associates for the H.V.A.C. system at the Tannery Pond Community

Center with the change in cost from \$3300.00 to \$3400.00 annually; additionally, there is a service contract for the Library/Town Hall in the amount of \$300.00 annually.

RESOLUTION NO. 35

Mr. Arsenault presented the following resolution and moved its passage with a second from Mr. Morehouse to authorize the Town Supervisor to execute the annual service contract for the H.V.A.C. system at the Tannery Pond Community Center with Thermal Associates at a cost of \$3400.00 for 2010 and additionally, the service contract for the Library/Town Hall in the amount of \$300.00 for 2010. With 5 members voting in favor the resolution is declared carried. Ayes-5 (Arsenault, Morehouse, Stevens, Vanselow, Goodspeed) Nays – 0

Supv. Goodspeed asked if the Town Board wished to approve of the Agreements to Spend Highway Funds (284) submitted by Highway Superintendent Daniel Hitchcock for the purpose of replacing road signage on Town roads and a second (284) Agreement regarding work on Barney Hill Road, Stewart Road and culvert replacement in general.

RESOLUTION NO. 36

Mr. Stevens presented the following resolution, and moved its passage with a second from Mr. Arsenault, to approve of the Agreements to Spend Highway Funds (284) submitted by Highway Superintendent Daniel Hitchcock for the purpose of replacing road signage on Town roads and a second (284) Agreement regarding work on Barney Hill Road, Stewart Road and culvert replacement in general. With 5 members voting in favor, the resolution is declared carried. Ayes-5 (Arsenault, Morehouse, Stevens, Vanselow, Goodspeed) Nays - 0

Supv. Goodspeed asked if the Town Board wished act upon the request from the North Country Hardship Fund, Inc, read earlier in Correspondence, to allow the charity an extension of the hours in which to use the Ski Bowl Park in the area of the pavilion August 6th through 8th and on August 7, 2010, to extend the park curfew through the hour of midnight, for the purpose of conducting their Waynestock fundraiser event.

RESOLUTION NO. 37

Mr. Morehouse presented the following resolution and moved its passage with a second from Mr. Arsenault to allow the North Country Hardship Fund, Inc. the use of the Ski Bowl Park in the area of the pavilion on August 6th through 8th, for the purpose of conducting their Waynestock fundraiser event and allowing associated cleanup to occur at that time; and further, and on August 7, 2010, to extend the park curfew through the hour of midnight for the event. 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 members if they wished to act upon the request by the Town of Johnsburg Library Board of Trustees asking that the Town Board authorize the addition of Mr. Steve Tomb to the Library Board of Trustees and informing the Town Board of their officers.

RESOLUTION NO. 38

Mr. Stevens presented the following resolution and moved its passage with a second from Mr. Arsenault that the Town Board of the Town of Johnsburg approves the appointment of Mr. Steve

Tomb to the Town of Johnsbury Library Board of Trustees as requested by that Board for a term to expire on December 31, 2012; and further, that the Town Board acknowledges that the officers of the Town of Johnsbury Library Board of Trustees shall be as follows: President-Jeff Fosdick, Vice President-Brendan Hanley, Secretary-Denise Conti and Treasurer-Kate Nightingale. With 5 members voting in favor, the resolution is declared carried. Ayes-5 (Arsenault, Morehouse, Stevens, Vanselow, Goodspeed) Nays - 0

The 2009 cash books of the Town Justice, the Accounts Clerk and the Town Clerk as well as the 2009 Tax Collection records were made available to the Town Board for examination and the Town Board signed the records as proof of their availability for review and examination.

PRIVILEGE OF THE FLOOR

Mr. Robert Nettle said that Mr. Robert Freeman of the Committee on Open Government had said that interviews for appointed offices could not be conducted in executive session.

Secretary Cherie Ferguson noted that Mr. Chris Woodard had started a Facebook page on the Town of Johnsbury; he now wanted to turn over its administration to the Town and asked that she be allowed to administer the page as an official site for the Town. Mr. Vanselow asked about the time required to administer the page and Mr. Stevens he had no problem with one page, but wondered about future requests. Supv. Goodspeed suggested that Sect. Ferguson do this for a while and report back on the time involved.

Supv. Goodspeed informed the Town board that he had received a couple of calls about possible damage due to the community garden in the Ski Bowl Park due to snowmobiles being ridden there with so little snow on the ground. Supv. Goodspeed said that he would have Parks Supt. Matt Olden put up some signs to discourage snowmobile riding there.

Mr. Kenneth Dessoir asked what the benefit to the taxpayers and residents of the Town of having Gore Mt. Operating; Accounts Clerk Candace Lomax replied that many people were employed there. Supv. Goodspeed added that Gore Mt. Brings about 6,000 people to the community in the winter; it is a large employer; he added that without Gore Mt. the community would die on the vine. Mr. Dessoir asked if the sewer line project would be paid for by ORDA; Supv. Goodspeed replied that the item is in a very preliminary phase of discussion. Mr. Dessoir said that the people who live on the outskirts of the Town and on a fixed income need to be protected from increased tax burdens and the burden should be put more on the business owners and added that the Town will probably need to provide more services and increase taxes. Mr. Dessoir asked if it made sense for a Warren County plow truck to clear Garnet Lake Road when the Town trucks drive down that road to get to Town roads for plowing. Supv. Goodspeed replied that he was worried about local families and that he had hoped that a sales tax increase would help by keeping the property tax lower, but, this was defeated by down county votes; he added that the Town Board has lowered Town taxes in each of the last two years and he hoped that there would be jobs for young people to return to. Accounts Clerk Lomax noted that the Town tries to work with Warren County where feasible; Supv. Goodspeed said that Sen. Elizabeth Little would like to arrange more cooperation, but it is very difficult. (Mr. Vanselow left the meeting from 9:45 to 9:50)

Mr. Dessoir agreed that the Warren County and not the Town Board had raised tax, but asked that Supv. Goodspeed look out for the previously mentioned residents at the county level. In

explaining the difficulty of how to do this Supv. Goodspeed noted that in one four hour period that he had received two telephone calls regarding support for the train one each complaining of too little and too much support for the train.

Mr. David Bulmer said that many business owners are local residents; developers come in as a result of the dollars spent in the area by those visiting Gore Mt.; North Creek is one of the few Adirondack communities where the young people can stay with jobs. Mr. Peter Heid replied that the Town had received little benefits from the nearly a dozen unfinished developments begun while he was growing up; he did agree that there was too much overlap of work. Mr. Stevens noted that Warren County used to pay towns to perform road maintenance, but that a previous Highway Superintendent believed that the payment was too low for the required work.

RESOLUTION NO. 39

Mr. Arsenault presented the following resolution and moved its passage with a second from Mr. Stevens that the following certified bills which have been reviewed by the board members be paid: General Fund- Warrant #2G/Claims #10-45; Highway Fund- Warrant #2H/Claims #7-23; North Creek Water Dist.- Warrant #2W/Claims#2-7; Johnsburg Fire Protection District- Warrant #1JFPD/Claim #1; Library Fund-Warrant #1L/Claims#1-7. 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. Stevens with a second from Mr. Arsenault at 9:58pm. 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 2, 2010 at the Wevertown Community Center, Wevertown, NY.

Prepared by William Rawson, Town Clerk