

Minutes of the Town of Johnsbury Regular Board Meeting December 18, 2012
Held at the Tannery Pond Community Center, North Creek, NY.

Minutes of the regular meeting of the Town Board of the Town of Johnsbury held on Tuesday, November 20, 2012 at 7:00pm at the Tannery Pond Community Center, North Creek, NY. Supervisor Vanselow called the meeting to order at 7:00pm and the pledge to the flag was led by Supervisor Vanselow.

Roll call showed the following persons present: Supv. Ronald Vanselow; Town Councilmen/ Eugene Arsenault, Katharine Nightingale, Peter Olesheski, Jr, Arnold Stevens; Town Clerk/ William Rawson.

Guests: On attached list

RESOLUTION NO. 264

Mr. Stevens presented the following resolution, and moved its passage with a second from Mr. Arsenault, to accept the minutes of the December 4, 2012, regular Town Board meeting as written. With 5 members voting in favor, the resolution is declared carried. Ayes-5 (Arsenault, Nightingale, Olesheski, Stevens, Vanselow) Nays - 0

CORRESPONDENCE:

1. A letter from Judge Vincent Schiavone expressing his thanks for the confidence shown in him by the Town Board for appointing him to fill the vacant Town Justice position and thanks to the Town Hall staff and the Town Clerk for assisting his transition.
2. A letter from Judge Vincent Schiavone notifying the Town Board that he must reluctantly resign from the Town of Johnsbury Board of Assessment Review in order to avoid any conflict of interest.
3. A letter from the Town of Johnsbury Planning Board requesting that the Town Board authorize the release of the Four V's escrow funds as there are no more charges against those funds from either the Planning Board attorney or engineer.
4. A letter from Mr. Donald Greene notifying the Town Board that he is resigning from his position as part-time clerk for the Town of Johnsbury effective December 31, 2012.
5. A letter from Dottie Osterhout notifying the Town Board that she has no interest in being reappointed to the Town of Johnsbury Planning Board at the expiration of her current term on January 31, 2013.

Supervisor Vanselow explained that with the resignation of Vincent Schiavone from the Town of Johnsbury Board of Assessment Review there are currently two vacancies on the Town of Johnsbury Board of Assessment Review as Victor Sasse had declined to be reappointed when his term expired. Supervisor Vanselow explained that the Town Board would have to deal with several vacancies on Town Boards and with replacing Dottie Osterhout as chairman of the Planning Board. Supervisor Vanselow said that he would like to try to place an article in the North Creek News-Enterprise about the vacancies on the Town of Johnsbury boards like the one about the vacancies on the Town of Minerva boards.

Supervisor Vanselow asked if the Town Board wished to give permission to release the remaining Four-V's funds held in escrow for the Planning Board per the request from the Planning Board; he added that the amount remaining in the escrow is \$1150.27.

RESOLUTION NO. 265

Ms. Nightingale presented the following resolution, and moved its passage with a second from Mr. Arsenault that the Town Board of Johnsburg grants permission to the Town Supervisor to release and refund the remaining Four-V's funds held in escrow for the Planning Board per the request from the Planning Board the amount has been determined to be \$1150.27 . With 5 members voting in favor, the resolution is declared carried. Ayes-5 (Arsenault, Nightingale, Olesheski, Stevens, Vanselow) Nays - 0

Supervisor Vanselow asked that the Town Board officially accept the resignation of Judge Vincent Schiavone from the position of member of the Town of Johnsburg Board of Assessment Review due to the possibility of a conflict of interest per his letter which was read in the Correspondence portion of the meeting.

RESOLUTION NO. 266

Mr. Olesheski presented the following resolution, and moved its passage with a second from Mr. Arsenault that the Town Board officially accepts the resignation of Judge Vincent Schiavone from the position of member of the Town of Johnsburg Board of Assessment Review due to the possibility of a conflict of interest. With 5 members voting in favor, the resolution is declared carried. Ayes-5 (Arsenault, Nightingale, Olesheski, Stevens, Vanselow) Nays - 0

Supervisor Vanselow asked that the Town Board officially accept the resignation of Mr. Donald Greene from the position of from his position as part-time clerk for the Town of Johnsburg effective December 31, 2012 per his letter which was read in the Correspondence portion of the meeting.

RESOLUTION NO. 267

Mr. Stevens presented the following resolution, and moved its passage with a second from Ms. Nightingale that the Town Board officially accepts the resignation of Mr. Donald Greene from his position as part-time clerk for the Town of Johnsburg effective December 31, 2012. With 5 members voting in favor, the resolution is declared carried. Ayes-5 (Arsenault, Nightingale, Olesheski, Stevens, Vanselow) Nays - 0

COMMITTEE REPORTS:

Supervisor Vanselow asked for a report from the Personnel Committee (Nightingale, Olesheski) on the compensation package discussion with Mr. Christian Holt regarding his appointment as Assistant to the Assessor. Ms. Nightingale explained that the Personnel Committee had discussed the compensation package with Mr. Holt and was recommending that Mr. Holt be paid \$16.00 per hour for 30 hours per week until completing his training which is expected to take at least six months. Supervisor Vanselow noted that Mr. Holt had been on the job since December 12, 2012. Supervisor Vanselow asked that the Town Board officially ratify the hiring of Mr. Christian Holt for the position of Assistant to the Assessor at the rate of \$16.00 per hour for 30 hours per week until completing his training which is expected to take at least six months until September 30, 2013 or until he completes his training to be certifies as Town Assessor.

RESOLUTION NO. 268

Mr. Olesheski presented the following resolution, and moved its passage with a second from Ms. Nightingale that the Town Board appoints Mr. Christian Holt as Assistant to the Assessor, at

the rate of \$16.00 per hour for 30 hours per week, effective December 12, 2012 through September 30, 2013 or until he completes his training to be certified as Town Assessor. With 5 members voting in favor, the resolution is declared carried. Ayes-5 (Arsenault, Nightingale, Olesheski, Stevens, Vanselow) Nays - 0

OLD BUSINESS:

Supervisor Vanselow reminded the Town Board that at the December 4, 2012 Town Board meeting a letter from Highway Superintendent Daniel Hitchcock had been received requesting that the Town Board pass a resolution requiring any landowner building a full time residence on a seasonal Town road is responsible for paying the cost of all necessary improvements to turn said road into a year round useable Town road. Supervisor Vanselow said that according to all that he has been able to find out this allowed and covered in NYS Town Law section 200. Supervisor Vanselow said that a Town Law has more force, but the law exists in NYS law and he said that he believes that a resolution creating a Town policy would work in this case to allow Highway Supt. Hitchcock to cite it if road upgrades are requested. Supervisor Vanselow said that Highway Supt. Hitchcock has informed him that there are some seasonal Town roads which would require expensive improvements to make the road a year round road, including but not limited to the following: blasting, bridge building and culverts being installed.

Mr. Olesheski said that he has spoken with Superintendent Daniel Hitchcock and thought about the possibilities and that this seems to be a wise decision. Mr. Arsenault asked about the enforcement and the level of improvement which would be required if the property owners requested upgrades. Supervisor Vanselow replied that the policy would give the Highway Superintendent a basis for requesting that property owners fund necessary improvements to bring a seasonal road up to year round standards and the required standards would be determined by the Highway Superintendent. Mr. Peter Heid said that the Town needs to provide specifications; Supervisor Vanselow said that he was unsure, but he understood that the Town would then be responsible for maintaining the improved road. Mr. Peter Heid warned the Town Board to be sure of its responsibilities.

Mr. David Bulmer asked if all the seasonal roads are marked by signs to show the seasonal status. Supervisor Vanselow said that he was not sure if all the seasonal roads had signage, but he said that the status of all Town roads is available at the Highway garage or Town Hall. Mr. Peter Heid said that roads need definition and the Highway Superintendent's suitability decisions probably will not hold up in court. Secretary Cherie Ferguson said that there are road standards in the Local Land Use Plan and these provide the basis for establishing the levels necessary for the Town to take over a road. Mr. Peter Heid said that State Law requires any improvements to be above grade and many current Town roads don't even match the regulations.

Supervisor Vanselow asked what the Town Board's pleasure was. Mr. Stevens presented the resolution as written by Supervisor Vanselow. Mr. Peter Heid said that there is not sufficient definition and also asked about improvements for those having a summer residence. Sect. Ferguson said that seasonal road by definition means that there is no Town Highway service from November through April of the following year.

Supervisor Vanselow said that he sees this as an issue which will be revisited.

RESOLUTION NO. 267

Mr. Stevens presented the following resolution, and moved its passage with a second from Mr. Olesheski that pursuant to Town Law section 200 of NYS, the Town of Johnsburg hereby adopts a policy that requires any property owner(s) residing on a seasonal road who wishes the

town to maintain said road on a year round basis, will be responsible for bringing the road into such a condition that the highway department will be able to maintain the road; and further, these improvements will include, but not be limited to, grading, culvert work, road width and road surface and turn-arounds; and further, all such improvements must be done in consultation and to the satisfaction of the Town Highway Superintendent. With 5 members voting in favor, the resolution is declared carried. Ayes-5 (Arsenault, Nightingale, Olesheski, Stevens, Vanselow) Nays - 0

Supervisor Vanselow reminded the Town Board that maintenance has never been done on the retractable chairs at the Tannery Pond Community Center in their ten years of being in place. Supervisor Vanselow said that the Town has received a quote, in the amount of \$2350.00 for a number of maintenance steps, from Nickerson Corporation, which is the only contractor in New York State to work on these chairs. Mr. Arsenault asked if this is for a one time visit or for a maintenance contract; Supervisor Vanselow said that this was for a one time maintenance servicing. Mr. Olesheski said that he believes that this needs to be done and long term maintenance schedule for the chairs will need to be addressed in the future.

RESOLUTION NO. 268

Mr. Olesheski presented the following resolution, and moved its passage with a second from Mr. Stevens that the Town board authorizes the acceptance of the quote from Nickerson Corporation in the amount of \$2350.00 for performing preventative maintenance on the retractable chairs in the Tannery Pond Community Center; and further, to note that Nickerson Corporation is the only contractor in New York State to work on retractable chairs of the type in the Tannery Pond Community Center. With 5 members voting in favor, the resolution is declared carried. Ayes-5 (Arsenault, Nightingale, Olesheski, Stevens, Vanselow) Nays - 0

Supervisor Vanselow explained that as soon as possible for the all of the radios in the Town of Johnsbury need to be reprogrammed or upgraded through purchase to be able to work on the narrow band which will be used by Warren County due to the unfunded mandate requirement from the FCC (Federal Communications Commission). Supervisor Vanselow noted that is a total of approximately 30 radios in the various departments which will need to be upgraded or replaced; about 27 radios will need to be replaced. Supervisor Vanselow said that after sifting through data it appears that to move this project forward the Town Board will need to authorize the Town Supervisor to work with Capital Digitronics, Inc. to order new radios and to have upgrades performed on those radios which can be upgraded. Ms. Nightingale said that she would speak with her husband about the more reliable and more useful brands. Supervisor Vanselow added that he expects the total cost to be under \$10,000.00. Mr. Olesheski asked where the money was coming from; Supervisor Vanselow said that he was not positive, but that it needed to be done. Mr. Peter Heid asked if there was any value to the older radios; Supervisor Vanselow said that he was not sure, but would look into this. Mr. David Bulmer asked if this would be done by January 1, 2013. Supervisor Vanselow said that it may not be done by that date, but soon after that date.

RESOLUTION NO. 269

Mr. Stevens presented the following resolution, and moved its passage with a second from Ms. Nightingale that the Town Board of the Town of Johnsbury authorizes the Town Supervisor to work with Capital Digitronics, Inc. to arrange for the purchase of twenty seven radios for the Town of Johnsbury and also, for the upgrading of three radios currently owned by the Town

which are able to be upgraded at a total cost expected be no more than \$10,000.00. With 5 members voting in favor, the resolution is declared carried. Ayes-5 (Arsenault, Nightingale, Olesheski, Stevens, Vanselow) Nays - 0

Supervisor Vanselow said that there were six budget amendments to be acted upon. Supervisor Vanselow explained that one is to transfer \$200.00 from contingency to the Dog Control contractual line; the second is to transfer \$3000.00 from Parks personnel to Buildings personnel to better reflect the actual time usage; the third is to move \$5000.00 from the Assessor budget line into a capital project line for property revaluation; the fourth is to authorize the re-appropriation of a \$108.31 donation to the Youth Committee from the quilting group which has ended its existence; the fifth is a transfer of \$1232.99 held in trust and agency to the Highway Fund; the sixth is to authorize giving \$471.99 held in trust and agency for a teen center to the Tannery Pond Community Center for the Teens Only group. Supervisor Vanselow asked that the Town Board accept the budget amendments.

RESOLUTION NO. 270

Mr. Olesheski presented the following resolution, and moved its passage with a second from Ms. Nightingale, to accept and approve the following amendments to the 2012 Town Budget:

Budget Amendments December, 2012

1. Dog Control CE	A3510.4	\$200.00	
Contingency	A1990.4		\$200.00
Transfer from Contingency to Dog Control Contractual			
2. Buildings PS	A1620.1	\$3,000.00	
Parks PS	A7110.1		\$3,000.00
Transfer funds from Parks Personnel to Buildings Personnel to align actual time allocation of Park Employee			
3. Property Revaluation Project	H1355.4.13	\$5,000.00	
Assessor CE	A 1355.4		\$5,000.00
Equipment	DA51302	\$17,865.95	
Transfer funds from General Fund Assessor to Capitol Projects Fund for Property Revaluation			

4. Authorize the reappropriation in 2013 of donation received in November in the amount of \$108.31 to the Youth

5. Authorize the transfer of funds in the amount of \$1232.99 held in the Trust and Agency account from the Highway Department Fire to the Highway Fund

6. Authorize giving funds in the amount of \$471.99 held in Trust and Agency account for Teen Center to Tannery Pond Community Center

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

NEW BUSINESS:

Supervisor Vanselow said that he wanted to move agenda item number six up to number one.

Supervisor Vanselow presented a certificate of recognition, given in sincere appreciation, to Mr. Scott Cleveland for his twenty six years of service to the Town of Johnsbury as an employee of the Highway Department which was ended due to his serious accident while hunting. The Town Board and Public applauded the presentation.

Supervisor Vanselow recognized Mr. Robert Nettle to make a presentation on the dedication of Town Buildings and in particular to request that the Town Board name the Ski Bowl Lodge the Joe Minder Lodge.

Mr. Nettle explained that he would like to see the Town begin a long term program of naming buildings owned by the Town after important individuals or historical incidents in Town; he would like the Town to begin by naming the Ski Bowl Lodge "Joe Minder Lodge" in honor of Mr. Joseph Minder. Mr. Nettle explained that Mr. Joseph Minder, born in North River, was a soldier in the U. S. Army during World War Two; Mr. Minder was made a prisoner in the Philippines for the duration of the war. Following his return to the United States at the end of the war he lived and raised his family in North Creek until his death. Mr. Minder was involved in many community organizations as well as enjoying his love of skiing for the remainder of his life. Mr. Nettle said that it was important that future generations remember the sacrifices by those in the armed services and those made by the public at home.

Mrs. Terry Waterston, commander of American Legion Post 629 spoke in support of the request. Commander Waterston said that Joe Minder was not only an excellent skier, he was a fine upstanding citizen with a wonderful attitude considering the hardships which he survived.

Mr. Olesheski said that there seem to be two issues here: one is the individual request of naming a building; the second is to set a long term policy for naming Town buildings. Mr. Olesheski said that while he did not personally know Mr. Minder that he seemed to have lived a life which was commendable and that the naming request seemed to have wide public support. Mr. Olesheski said that he was not sure that this was the moment to create policy for naming Town buildings, although the discussion of such a policy could be done in the future.

Mr. David Bulmer said that while he believed that a building should be named for Joe Minder, he wondered if that was the right building. Mr. Bulmer suggested that possibly the Ski Bowl Lodge should be named for those families who owned the original tows and began skiing at the Ski Bowl. Supervisor Vanselow replied that this is the right building to name for Joe Minder. Mr. Olesheski agreed and added that developing a policy made sense.

Mr. Nettle said that using historical events and people for naming buildings was his idea and that possibly having the Johnsbury Historical Society assist in researching the suitability of proposed names would be a good idea. Mr. Olesheski said that a discussion of a policy should be begun in 2013.

RESOLUTION NO. 271

Mr. Olesheski presented the following resolution, and moved its passage with a second from Mr. Arsenaault to honor the request from Mr. Robert Nettle with the support of both the North Creek Rotary Club and American Legion Post 629 to name the Ski Bowl Lodge as the "Joe Minder Lodge. With 5 members voting in favor, the resolution is declared carried. Ayes-5 (Arsenaault, Nightingale, Olesheski, Stevens, Vanselow) Nays - 0

Supervisor Vanselow informed the Town Board that the contract to remove scrap metal from the transfer station expired on December 31, 2012; he added that the scrap metal pile had recently been cleared and so speed in contracting with a company to remove the scrap metal was

not necessary. Supervisor Vanselow asked the Town Board authorize the placing of a new scrap metal removal bid.

RESOLUTION NO. 272

Mr. Arsenault presented the following resolution and moved its passage with a second from Ms. Nightingale to authorize the Town Clerk to advertise for one week on in the North Creek News Enterprise for the removal of scrap metal from the Town of Johnsbury Transfer Station, with the contract to run from January 15, 2013 through December 31, 2013, with the sealed bids to be accepted until 12:00 noon on January 15, 2013 and further, the bids will be opened at 7:00pm at a regular meeting of the Town Board to be held at the Sodom Scout Hall, North Creek, NY on Tuesday, January 15, 2013, at 7:00pm. With 5 members voting in favor, the resolution is declared carried. Ayes-5 (Arsenault, Nightingale, Olesheski, Stevens, Vanselow) Nays - 0

Mr. David Bulmer brought to the Town Board's attention that some trucks seem to be picking up metal from the scrap pile; Mr. Olesheski said that he had been notified of this as well. Mr. Stevens said that there is a Town policy stating that there is to be no "picking of the metal pile" at the transfer station. Mr. Olesheski said that as Mr. Ray Flath is new to the position that he should be informed of the policy. Mr. Peter Heid said that some people leave items for reuse. Mr. Stevens said that one of the reasons for the policy was to stop altercations over collecting desirable pieces of scrap metal items.

Supervisor Vanselow said that he will speak to all Town employees who may work in that position about the policy. Supervisor Vanselow said that there was a liability issue if someone was injured while engaged in the practice of collecting scrap metal and added that the Town loses revenue from the scrap metal sales. Mr. Peter Heid suggested that adding signage might help. Mr. Olesheski said that the public may not know of the policy and signage would help.

Mr. Robert Nettle asked how much income was received from the scrap metal sales; he suggested that as the transfer station was in the Ski Bowl Park that possibly the Town Board would dedicate the money to the park fund. Secretary Cherie Ferguson said that in the current year it was about five thousand dollars.

Mr. Stevens thanked Mr. Bulmer for bringing this to the attention of the Town Board.

Supervisor Vanselow asked that the Town Board set a date for the 2013 Organizational Meeting; he suggested January 3, 2013, the first Thursday in January at the Wevertown Community Center, at 7:00pm.

RESOLUTION NO. 273

Mr. Stevens presented the following resolution and moved its passage with a second from Mr. Arsenault that the Town Board sets the date of the 2013 Organizational Meeting of the Town Board of the Town of Johnsbury as follows: January 3, 2013 at the Wevertown Community Center, Wevertown, NY at 7:00pm With 5 members voting in favor, the resolution is declared carried. Ayes-5 (Arsenault, Nightingale, Olesheski, Stevens, Vanselow) Nays - 0

Supervisor Vanselow asked that the Town Board authorize the Town Supervisor to execute the 2013 contract with either Standard Medical Services (Department of Transportation physicals \$90.00 each and \$80.00 per standard physical) or Hudson Headwaters Health Network (Department of Transportation physicals \$137.00 each and \$100.00 per standard physical) for employee Department of Transportation and standard physicals. Secretary Cherie Ferguson said

that this service is used extremely infrequently, if ever. Mr. Olesheski said that while the fees are lower from Standard Medical Services that by accepting the contract from Hudson Headwaters Health Network it is a way of showing support for the local health organization.

RESOLUTION NO. 267

Mr. Olesheski presented the following resolution, and moved its passage with a second from Mr. Stevens, to authorize the Town Supervisor to execute a contract with Hudson Headwaters Health Network for employee Department of Transportation physicals at \$137.00 each and non-Department of Transportation physicals \$100.00 each. With 4 members voting in favor, the resolution is declared carried. Ayes-4 (Nightingale, Olesheski, Stevens, Vanselow) Nays – 0; Abstained-1 (Arsenault)

Supervisor Vanselow informed the Town Board that he and Secretary Cherie Ferguson had met with representatives from the Merriam Agency to discuss and review the Town Casualty/Liability policy for the fiscal year of 2013 and added that the amount is a decrease relative to the 2012 cost of \$40,345.45. Mr. Arsenault asked if there were any other quotes. Supervisor Vanselow answered that one or two other companies had made contact, but had never set up meetings or presented quotes. Mr. Arsenault asked if the Town receives a rebate again this year; Secretary Cherie Ferguson said that the Town will receive a rebate in the approximate amount of five thousand dollars in 2013. Supervisor Vanselow said that the overall cost was going to be approximately \$39,000.00. Supervisor Vanselow recommended that the Town Board accept the binder and authorize him to sign it.

RESOLUTION NO. 268

Mr. Stevens presented the following resolution and moved its passage with a second from Ms. Nightingale to accept the liability and property insurance quote from NYMIR, through the Merriam Agency for the fiscal year of 2013 and to authorize the Town Supervisor to sign the 2013 insurance binder in the approximate amount of \$39,000.00. With 5 members voting in favor, the resolution is declared carried. Ayes-5 (Arsenault, Nightingale, Olesheski, Stevens, Vanselow) Nays - 0

Supervisor Vanselow asked the Town Board if they wished to authorize the issuance of the 2013 Transfer Station Cleanup Cards with no changes from the 2012 cards.

RESOLUTION NO. 269

Mr. Stevens presented the following resolution, and moved its passage with a second from Mr. Arsenault that the Town Board authorizes the issuance of the 2013 Transfer Station Cleanup Cards with no changes from the 2012 card. With 5 members voting in favor, the resolution is declared carried. Ayes-5 (Arsenault, Nightingale, Olesheski, Stevens, Vanselow) Nays - 0

Supervisor Vanselow informed the Town Board of the 2012-2013 dates for the use of the tubing passes for free tubing at the Ski Bowl Park. The dates are as follows:

- December 28, 2012
- January 12, 2013
- January 27, 2013
- February 9, 2013
- February 24, 2013
- March 10, 2013

The passes allow Town of Johnsborg residents to use the tubing hill or the Village chair lift for a two hour period during the hours of operation on those days.

Supervisor Vanselow distributed the Supervisor's Monthly Report, for the month of November 2012, to the members of the Town of Johnsborg Town Board; the report had been delayed due to a technical issue with the accounting software. Mr. Arsenault asked if the fourth quart sales tax receipts were included. Supervisor Vanselow replied that the fourth quarter receipts would not arrive until January. Mr. Arsenault asked about the \$26,000.00 disbursement from Capital Projects Funds. Supervisor Vanselow said that he was not sure, but would get an answer from bookkeeper Sherry Williams. Mr. Robert Nettle suggested that it might be the payment for the climbing rock in the Ski Bowl Park; Mr. Arsenault agreed that it may be that.

RESOLUTION NO. 275

Mr. Arsenault presented the following resolution and moved its passage with a second from Ms. Nightingale that the following certified bills which have been reviewed by the board members be paid: General Fund (Total 30,968.32) - Claims #2012-1016 through #2012-1035 and #2012-1059 through #2012-1068 and #2012-1070 and #2012-1071; Highway Fund (Total \$16,280.64)- Claims #2012-1036 through #2012-1052 and #2012-1065 and #2012-1072; North Creek Water Dist.(Total \$1,566.70)- Claims #2012-1063 and #2012-1073; Library Fund (Total \$581.37) - Claims #2012-1053 through #2012-1056; Capital Projects Funds (Total \$608.63) Claim #2012-1031; Johnsborg Fire Protection District (Total \$15,000.00) Claims #2012-1057 and #2012-1058 and #2012-1074; Total all warrants \$65,005.66; Claim #2012-1069 voided (processed in error) and Claim #2012-1015 voided (duplication). With 5 members voting in favor, the resolution is declared carried. Ayes-5 (Arsenault, Nightingale, Olesheski, Stevens, Vanselow) Nays – 0

PRIVILEGE OF THE FLOOR

Mr. Peter Heid reported that the Bakers Mills Sodom Fire Company Assistant Chief who had stated that he was unable to communicate using his radio across my lawn had used the radio earlier to communicate with other fire responders prior to their arrival on scene. Mr. Heid suggested that possibly they need to have their radios repaired. Mr. Heid asked about the inability of the Bakers Mills Sodom Fire Company to pump water at two recent fires. Mr. Heid also said that the Bakers Mills Sodom Fire Chief Lewis Hitchcock was ordered off the scene for not having turnout gear by the Warren County Fire Coordinator and Chief Hitchcock ignored the fire coordinator. Mr. Heid asked if "we" were waiting to have a liability problem. Supervisor Vanselow said that he was not privy to the recent things which you mention. Mr. Heid asked if he was keeping track of events.

Supervisor Vanselow said that he was not on fire scenes. Mr. Heid said that someone should keep track of the fire issues as there is a problem in Town. Supervisor Vanselow said that he was just hearing about this from you and the report was that things went reasonably well with the last two fires. Mr. Heid asked that Supervisor Vanselow call the Warren County coordinator and ask about the last two fire scenes regarding the Bakers Mills Sodom Fire Company. Supervisor Vanselow said that there were problems with the North Creek Fire Company pumping water at the last fire scene and that he was not on fire scenes. Mr. Heid said that people are going to get sued and he will make one of the best witnesses for the plaintiffs.

Mr. David Bulmer wanted to inform the Town Board that beavers have been building a dam

on the North Creek behind the Town Hall. Mr. Bulmer said that they also have taken down a number of additional trees in that area and if the dam is raised it will bring water up onto the Carol Thomas Trail. Mr. Bulmer said that this could be a big problem on the stream. Supervisor Vanselow said that in his discussions with the Department of Environmental Conservation he had been informed that the property owners were responsible for the beaver dams. Mr. Bulmer said that most of the property belongs to the Town. Supervisor Vanselow said that he would look at the area and speak to Highway Superintendent Daniel Hitchcock about the beavers as it appears that they are on Town property.

Mr. Peter Heid asked about the creation of a Town disciplinary policy about which he had spoken to Supervisor Vanselow. Supervisor Vanselow said that he has not spoken to the Town Board about such a policy. Mr. Heid asked Supervisor Vanselow to do so.

Mr. Olesheski said that it had brought to his attention by Mr. James (Cork) Nestor that there were numerous ticks on the multi use trail which goes around the transfer station and he had told Mr. Nestor that he would speak to Mrs. Kelly Nettle to see if there was any funding or signage which could be posted to warn trail users of the potential danger. Mr. Olesheski said that many people are surprised to find that it is possible to get ticks on themselves or their pets at this time of the year. Mr. Bulmer expressed surprise that the ticks are active at this time of year. Mr. Olesheski said that they are active at the milder temperature periods during the winter; Supervisor Vanselow said that he has lived in more temperate climate areas and that signage has been in place there. Mr. Peter Heid agreed and added that the lower temperatures allowed ticks to find warmer bodies of people and their pets easier.

Supervisor Vanselow explained to the Town Board that in their packets was information from the NYS Comptroller's Office on conducting internal audits. Supervisor Vanselow said that this will be discussed at a future meeting and asked that the Town Board members not throw the information away; he added that the Town Board will be taking part in this in the future.

Mr. Robert Nettle asked who the Town Board had appointed to the position of Town Assessor. Secretary Cherie Ferguson explained that Mr. Christian Holt had been appointed as Assistant to the Assessor until he completes his training.

Mr. James Jones asked why the cleanup of the Denton property had not been completed. Supervisor Vanselow said that the current needs of the Town for the personnel who had been involved had changed due to the season and that two Warren County dumpsters of material totaling about 160,000 cubic yards had been removed. Mr. Jones said that it looks the same as it had before starting the cleanup and asked if the cost had stopped the project. Supervisor Vanselow said that although the projects looked the same that a lot of material has been removed; the area seems to be bottomless. Mr. Jones said that more has been spent on the property than it will be worth; Supervisor Vanselow said that the Town will eventually be reimbursed by Warren County. Mr. Jones likened that to a shell game and noted that it would still be taxpayer funds. Mr. Jones said that too much money was being spent on that property. Mr. Stevens asked what would be the alternative. Mr. David Bulmer asked if the Town would take over the property once it is cleaned up; Supervisor Vanselow said that he did not know of any interest in the Town doing that, although some of the neighbors have expressed an interest in purchasing the property once it is cleaned up.

A motion to adjourn the meeting was presented by Ms. Nightingale with a second from Mr. Olesheski at 8:21pm. With 5 members voting in favor, the resolution is declared carried. Ayes- 5 (Arsenault, Nightingale, Olesheski, Stevens, Vanselow) Nays - 0

The 2013 organizational Town Board meeting will be held at 7:00pm on January 3, 2013 at the Wevertown Community Center, Wevertown, New York.

Prepared by William Rawson, Town Clerk