

**Minutes of the Town of Johnsburg Regular Board Meeting September 1, 2009
Held at the Wevertown Community Center, Wevertown, NY**

Minutes of the regular meeting of the Town Board of the Town of Johnsburg held on Tuesday, September 1, 2009 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., and Arnold Stevens; Town Clerk/ William Rawson. Councilman Ronald Vanselow was absent.

Guests: On attached list

RESOLUTION NO. 163

Mr. Morehouse presented the following resolution, and moved its passage with a second from Mr. Arsenault, to accept the minutes of the August 18, 2009 regular Town Board meeting as written. With 4 members voting in favor the resolution is declared carried. Ayes-4 (Arsenault, Morehouse, Stevens, Goodspeed) Nays - 0

CORRESPONDENCE:

1. A letter from Michael Swan, Director of Warren County Real Property Tax Services, informing Supervisor Goodspeed that he would advise the Town of Johnsburg to plan on completing a reassessment project for the 2012 or 2013 tax roll instead of the 2011 tax roll; the change is due to his perception of NYS funding not being available, the current sales are too few to allow for predicting property values and the ability of his office to assist the Town of Johnsburg as he had planned would be limited.
2. A letter from Highway Supt. Daniel Hitchcock requesting that the Town Board approve his attendance at a November 19, 2009 Cornell Local Roads Program Workshop at a cost to the Town of forty dollars.
3. A letter from Mr. Armando Perez, representing the Garnet Hill Property Owners Association requesting that the Town Board ask the NYS Department of Transportation to conduct a restudy of Harvey Road for a possible speed limit reduction.
4. Six Agreements to Spend Highway Funds (284) submitted by Highway Superintendent Daniel Hitchcock for the purpose of amending the previous 284 regarding culvert replacement, bridge repair and barter.

Supv. Goodspeed asked if the Town Board wished to take action on a speed reduction request from the Garnet Hill Property Owners Association for Harvey Road between Thirteenth Lake Road and the Garnet Hill thirty mile per hour limit.

RESOLUTION NO. 164

Mr. Arsenault presented the following resolution and moved its passage with a second from Mr. Stevens that the Town Board of the Town of Johnsburg authorizes the Town Supervisor and/or Town Clerk to sign all necessary documents to initiate a request for a reduction of the speed limit on Harvey Road, North River, NY, between Thirteenth Lake Road and Birch Mountain Drive, to Mr. William Lamy at the Warren County Department of Public Works. With

4 members voting in favor the resolution is declared carried. Ayes-4 (Arsenault, Morehouse, Stevens, Goodspeed) Nays - 0

Supv. Goodspeed asked if the Town Board wished to accept and approve the amending Agreements to Expend Town Highway Funds received from Highway Supt. Daniel Hitchcock involving Chatiemac Road repairs; Rogers Road repairs; barter of 180 cu yards of bank run for 180 cu yards of screened topsoil; Dillon Hill Road bridge replacement; Bakers Mills Road catch basin replacement; and culvert replacements on the following town roads: Paint Bed Road, Chatiemac Road, Barney Hill Road, Bartman Road, Cleveland Road, Cross Road, and Armstrong Road.

RESOLUTION NO. 165

Mr. Arsenault presented the following resolution, and moved its passage with a second from Mr. Morehouse, to approve of the six Agreements to Expend Town Highway Funds: the first agreement involving Chatiemac Road repairs; the second agreement a barter of 180 cu yards of bank run for 180 cu yards of screened topsoil; the third agreement culvert replacements on Paint Bed Road and Chatiemac Road and Dillon Hill Road bridge replacement; the forth agreement culvert replacement on Chatiemac Road and Barney Hill Road; the fifth agreement culvert replacements on Bartman Road and Cleveland Road and Rogers Road repairs; the sixth agreement culvert replacements on Cross Road, and Armstrong Road and Bakers Mills Road catch basin replacement. With 4 members voting in favor the resolution is declared carried. Ayes-4 (Arsenault, Morehouse, Stevens, Goodspeed) Nays – 0

Supv. Goodspeed provide a quick update on the Rogers Road repairs due to washouts from a private property; there has been a meeting with the property owner and an exchange of e-mails on the issue and a resolution of the problem seems to be possible in the near future.

Supv. Goodspeed asked if the Town Board wished to authorize Highway Supt. Daniel Hitchcock to attend a November 19, 2009 Cornell Local Roads Program Workshop at a cost to the Town of forty dollars.

RESOLUTION NO. 166

Mr. Stevens presented the following resolution, and moved its passage with a second from Mr. Arsenault, to authorize Highway Supt. Daniel Hitchcock to attend a November 19, 2009 Cornell Local Roads Program Workshop at a cost to the Town of forty dollars. With 4 members voting in favor the resolution is declared carried. Ayes-4 (Arsenault, Morehouse, Stevens, Goodspeed) Nays - 0

Supv. Goodspeed commented on the letter from Michael Swan, Director of Warren County Real Property Tax Services advising the Town of Johnsbury to plan on completing a reassessment project for the 2012 or 2013 tax roll instead of the 2011 tax roll. Supv. Goodspeed said that Warren County Real Property Tax Services is down two people in staff and that in the current budget climate that it is not anticipated that the positions will be filled soon; he added that this may not be a fair time to do a reassessment project.

COMMITTEE REPORTS:

OLD BUSINESS:

Supv. Goodspeed reminded the Town Board that at the meeting of August 4, Mr. Roger Mosher had said that he had checked with several local Towns and found none of the adjacent towns which provided health insurance for councilmen and that he had instituted a survey of nearby towns regarding the insurance and salary. Bolton offers health insurance to councilmen with a 25% cost from the employee and a salary of \$4017.00; Chestertown does not offer health insurance and the salary is \$5380.00, although this is unconfirmed; Horicon covers councilmen and they would pay 50% for dependents, if they do not elect to take coverage they receive \$400.00 in addition to the salary of \$4806.00; Indian Lake allows the councilmen to buy into the town health insurance at 100% and the salary is \$3814.00; Lake George allows the councilman health insurance by paying the cost above a cap and a salary of \$8,777.00; Luzerne allows councilmen full personal insurance and a 25% cost for dependents and a salary of \$5060.00; Minerva allows coverage for self and spouse with the employee paying 15% and a salary of \$3415.00; Thurman the councilmen to buy into the town health insurance at 100% and the salary is \$3136.00; Warrensburg offers health insurance to councilmen at no cost and additionally, reimburses co-pays and the salary is \$5300.00; Hague could not be contacted at this time. The Town of Johnsbury currently allows health insurance for the councilmen and a 21% cost for dependents and a salary of \$4365.00. Supv. Goodspeed said that this shows that there are many different ways of handling compensation for the councilmen. Mr. Roger Mosher said what the Town of Johnsbury can afford is not necessarily the same as other Towns allow and that the Town of Johnsbury should not be based on other Towns. Supv. Goodspeed noted that Mr. Mosher had spoken to other Towns regarding this issue. Mr. Paul Heid said that the survey shows the fairness of the compensation; he asked about the amount of time put in by the councilmen in the different towns. Supv. Goodspeed replied that the Town of Bolton workload is very similar to the Town of Johnsbury, as is the Town of Warrensburg. Mr. Robert Nettle said that everyone understands that the town boards make the rules to pad their own futures as all legislative bodies do; he suggests that a council of independent community members decide the compensation and benefits of the town board members. Supv. Goodspeed replied that a fair result should be strived for. Mr. Mosher said that the school board members are not compensated by salary or benefits. Mr. Paul Heid said that the councilmen should pay a percentage of their health insurance. Mr. Nettle said that he did not know when the practice started, but that he wondered the purpose of it. Supv. Goodspeed said that the costs today are very different from the point in time when the program began; he added that he believed that the purpose was to get people interested in running for office. Mr. Peter Heid wondered what the percentage of the total budget was in other towns. Mr. Mosher wanted the Town Board to vote tonight on the health care issue; Supv. Goodspeed said that the Town Board members should have a chance to look at the numbers and then be discussed in the future as a budget item.

Supv. Goodspeed informed the Town Board that the application for American Recovery and Reinvestment Act of 2009 funds for the installation of solar energy panels on the Town Hall and the Tannery Pond Community Center, a Stimulus Grant for solar "green" power installation brought to the Town Board by Mr. Vanselow and authorized at the previous meeting had been mailed and that it is believed that the Town has a good chance at receiving funding for at least one building in the first round of grant funding.

Supv. Goodspeed updated the Town Board on the failure of the heating system at the Owens House which is operated by the North Creek Railway Depot Preservation Association which had

been discussed on April 7, 2009. Supv. Goodspeed said that Mr. Wayne LaMothe, Warren County Planning and Community Development Department, believes that he has found some funding in the First Wilderness Heritage grant for the installation of a new furnace. The expected cost of the installation is approximately \$15,000.00. A request as to the appropriateness of such a use has been made to New York State, but no response has been forthcoming. If the grant use is approved within three to five weeks then the installation will be finished prior to the start of the heating season; if not then he would like to ask Warren County to front the funds and be repaid by the grant funds. Warren County will do this only if the Town of Johnsbury will guarantee the funding if the grant funding falls through. Mr. Peter Heid said that this seems to be a lot of money for a building of that size; Supv. Goodspeed replied that Warren County staff has looked at the situation. Mr. Paul Heid asked if the project would be subject to competitive bidding; Supv. Goodspeed said that he believed so.

Supv. Goodspeed informed the Town Board that the cash flow in the Town accounts is a minor problem and necessitates moving slowly on the Ski Bowl Park grant to be sure that money is available; he added that the CHIP's program is a reimbursement operation and the Town has committed to the purchase of a new highway vehicle for this year and the funding for this item needs to remain in place. Supv. Goodspeed would like to wait until the next Town Board meeting on September 22, to decide which component can be moved forward at this time. Supv. Goodspeed informed Mrs. Kelly Nettle, Ski Bowl Park Grant Coordinator, that he had received a call from American Ramp Company questioning the Skate Park Equipment Bid acceptance and qualifications of the successful bidder; American Ramp Company was the middle bidder on that project.

Supv. Goodspeed reminded the Town Board that at the January 20, meeting that he had informed them NYS Senator Little had been trying to facilitate an off road parking area for rafting buses at the take out point in North River, on State Route 28 just across the county line in Hamilton County. Supv. Goodspeed had explained that the current practice of parking the rafting buses on State Route 28 results in clients of some companies crossing this busy road is not as safe as one would want it to be. The NYS Department of Transportation supported plan is to construct a parking area off State Route 28 on the river side of the road. One private land owner, N_L Industries, has not yet supplied a document to allow the crossing of their property. As a result it is not expected that construction will begin this fall, even though the Town of Indian Lake and the NYS Department of Transportation are ready to start.

Supv. Goodspeed reminded the Town Board that the Adirondack Park Agency (APA) had requested that the Town hold an informational meeting regarding the fifteen or sixteen proposed amendments to the Town of Johnsbury zoning map. The Town Board plans to discuss the proposed amendments in detail at the regular Town Board meeting of October 20. The amendments had been developed by the Zoning Committee and Dr. Richard Lamb which had also drafted the 2007 Local Land Use Plan. Supv. Goodspeed noted that the amendments were not an all or nothing change so long as the ratio of building lots to land did not change substantially. He has received two letters of support and two personal contracts against the amendments. Supv. Goodspeed asked that the Town Board authorize display advertising for the October 20 meeting.

RESOLUTION NO. 167

Mr. Stevens presented the following resolution, and moved its passage with a second from Mr. Arsenault, to authorize the placement of a display advertisement in the North Creek News-Enterprise, if necessary and at a cost not to exceed \$350.00; the purpose is to advertise the informational discussion on October 20 at the regular Town Board meeting in the Town Hall (Library) of the proposed zoning map amendments; at which meeting the Town Board will be seeking feedback on said proposed amendments. With 4 members voting in favor the resolution is declared carried. Ayes-4 (Arsenault, Morehouse, Stevens, Goodspeed) Nays – 0

Supv. Goodspeed explained that at the April 21, 2009 the Town Board approved of the Town of Johnsbury Library plans to improve the rear entrance of the library (Resolution 90), since that time the project has changed and it is being brought back to the Town Board for approval of the current plans. Mr. Larry Carr, Library Board of Trustees member, explained that in order to obtain a Warren County building permit that the plans have become quite elaborate and there will be both a handicapped patron ramp and a stairway to the entrance. The ramp location has been moved to a less invasive site and it will lead to two handicapped parking spots. Supv. Goodspeed explained that the new ramp location will not impact the entry to the parking lot. Mr. Arsenault asked about the grant funding; Mr. Carr replied that it was a fifty percent match and that the library needed to be in the ground by September 6 in order to keep the grant in order. Supv. Goodspeed explained that some of the preliminary excavation work was not under Warren County jurisdiction and could begin prior to the receipt of the building permit from the county codes office. Supv. Goodspeed asked for Town Board approval of the amended plans.

RESOLUTION NO. 168

Mr. Morehouse presented the following resolution and moved its passage with a second from Mr. Stevens to approve of the current amended plans for the Town of Johnsbury Library improvements to the rear entrance of the library in addition to and in agreement with Town Board Resolution 90, approved on April 21, 2009. With 4 members voting in favor the resolution is declared carried. Ayes-4 (Arsenault, Morehouse, Stevens, Goodspeed) Nays – 0

NEW BUSINESS

Supv. Goodspeed asked the Town Board to approve a resolution to authorize an agreement between Warren County and the Town of Johnsbury for participation in the Warren County Quadricentennial Program. There is a kiosk project for the Quadricentennial Program; the program celebrates the 400th Anniversary of the discovery of the Hudson River. Mr. Arsenault noted that the project cost in the paperwork seems to be six thousand dollars; Supv. Goodspeed replied that according to Warren County the amount in the resolution, \$3,461, is correct and that there is no Town expense. Mr. Robert Nettle asked where the kiosk is to be located; Supv. Goodspeed replied that he was not sure exactly where in the Town it would be located, but it would be on the Hudson River. Mr. Nettle suggested that it be located on the Kellogg (Waddell) Property site; Supv. Goodspeed said that he expected that this would be the site and that he would find out positively.

RESOLUTION NO. 169

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

AUTHORIZING AGREEMENT BETWEEN WARREN COUNTY AND THE TOWN OF
JOHNSBURG FOR PARTICIPATION IN THE WARREN COUNTY QUADRICENTENNIAL
PROGRAM

WHEREAS, the Town of Johnsburg desires to participate in the County Quadricentennial Program that will celebrate the upcoming 400th anniversary of the explorations of Henry Hudson which provides an opportunity for Warren County communities to invest in tourism infrastructure that will benefit the region for years to come. Through the implementation of a “palette” of projects that will help the thirteen Warren County communities “meet and greet” the visitor and deliver an authentic experience that will be able to ensure a unified presentation of Warren County, attract national and international travelers, and deliver a “seamless” visitor experience for the Quadricentennial and years to come.

WHEREAS, it is in the best interest of the Town of Johnsburg to cooperate with the County of Warren in the development of the activities related to said project, and

WHEREAS, the Town of Johnsburg targeted project for the County Quad Program includes a community kiosk and a website link for the First Wilderness Heritage Corridor that no more than \$3,461 of Quad funds will be available for reimbursement under the program, now, therefore, be it

RESOLVED, that the Supervisor of the Town of Johnsburg be, and hereby is, authorized and directed to enter into an intermunicipal agreement provided by the County of Warren on behalf of the Town with the County of Warren.

With 4 members voting in favor the resolution is declared carried. Ayes-4 (Arsenault, Morehouse, Stevens, Goodspeed) Nays – 0

Supv. Goodspeed informed the Town Board that Warren County was facing a financial crisis which will affect the way in which the county does business with the Towns and the residents. For Warren County to come in with a zero increase budget would require approximately four million in budget cuts; a three percent budget increase will cost two million in cuts. A meeting to discuss the budget crisis has been scheduled for next week; there are many different ideas on how to handle the problem. Supv. Goodspeed added that the burn plant contract concluded next year and that should help to stabilize the situation. Mrs. Kelly Nettle asked if a reduction in the Occupancy Tax was expected. Supv. Goodspeed replied that he did; the Occupancy Tax collections were down thirteen to fifteen percent in July and August seems to be down a little as well. Supv. Goodspeed suggested that the Occupancy Tax Committee plan on twenty to twenty-four thousand instead of the thirty thousand of previous years. The horrible weather, the incident at the Lake George beaches and the economy has combined to create the reduction.

Supv. Goodspeed distributed the Supervisor’s Monthly Report, for the month of August 2009, to the members of the Town of Johnsburg Town Board.

Supv. Goodspeed informed the Town Board that the Zoning Enforcement Officer’s Monthly Report is not yet available; Mr. Robert Nettle asked that the report be placed on the Town website when it is available and made available at the next Town Board meeting.

PRIVILEGE OF THE FLOOR

Mr. Paul Heid advised the Town Board of being very careful of entering into grants at this time; some grant money having dried up prior to being paid in reimbursement. Supv. Goodspeed replied that he believed that the funding for the Ski bowl Park grant seems to be in place, as do many of the older grants. Supv. Goodspeed added that the newer grants in the 2010 budget cycle

seem to be the funding attacked. Mr. Paul Heid advised that the Town should expect a reduction in revenues; Supv. Goodspeed agreed that it would be correct to anticipate a loss of revenue for the 2010 budget. Supv. Goodspeed noted that some departments are close to going over budget and some budget lines such as fuel are in better shape than expected and there is a healthy contingency fund.

Mr. Roger Mosher asked when the health care issue may be before the Town Board again; Supv. Goodspeed replied that either the next meeting or the first meeting in October.

Mr. Paul Heid asked what portion of the Warren County budget the Medicare cost is; Supv. Goodspeed replied that it was approximately fifty percent for the mandated programs. While the costs of the mandated programs are fixed, there are some attached personnel which could be cut for a cost savings. Mrs. Kelly Nettle said that the tax bill should increase as the cost of living goes up, otherwise there will be a financial hole created; Supv. Goodspeed said that there are about double the number of people at the last chance redemption point with the Warren County Treasurer.

Mr. Robert Nettle asked why the Town was paying Highway Warrant claim number 177 from the Fastenal Company for hardware for the Dillon Hill Road bridge when the bridge is a Warren County project. Supv. Goodspeed said that there were two bridges one is a County bridge and the other is a Town bridge. The Highway warrant claim is for the Town bridge.

RESOLUTION NO. 170

Mr. Arsenault presented the following resolution and moved its passage with a second from Mr. Morehouse that the following certified bills which have been reviewed by the board members be paid: General Fund- Warrant #17G/Claims #324-353; Highway Fund- Warrant #17H/Claims #171-178; North Creek Water Dist. - Warrant #17W/Claim#61; Capital Project Funds-Warrant #8CPF/Claims #12-13; Johnsburg Fire protection District Warrant #3JFPD/Claims #9-10. With 4 members voting in favor the resolution is declared carried. Ayes-4 (Arsenault, Morehouse, Stevens, Goodspeed) Nays – 0

A motion to adjourn the meeting was presented by Mr. Stevens with a second from Mr. Arsenault at 8:08pm. With 4 members voting in favor the resolution is declared carried. Ayes-4 (Arsenault, Morehouse, Stevens, Goodspeed) Nays – 0

The next regular Town Board meeting will be held at 7:00pm on September 22, 2009 at the Town Hall (Library), North Creek, NY.

Prepared by William Rawson, Town Clerk