

**Minutes of the Town of Johnsburg Regular Board Meeting February 15, 2011  
Held at 7:00pm at the Town of Johnsburg Library, North Creek, NY; also Executive  
Session to Interview Candidates for the Assessor and Bookkeeper Positions**

Minutes of the Executive Session of the Town Board of the Town of Johnsburg to held on Tuesday, February 15, 2011 at 6:00pm at the Town Hall (Library), North Creek, NY for the purpose of conducting interviews for the Assessor and Bookkeeper positions. Supervisor Goodspeed called the meeting to order at 6:00pm.

Roll call showed the following persons present: Supv. Sterling Goodspeed; Town Councilmen/ Eugene Arsenault, Frank Morehouse, Jr., and Ronald Vanselow; Town Clerk/ William Rawson. Councilman Arnold Stevens was absent

Also present were Amanda Gadway, Julie Wolfe, Valerie Perkins, Carol Reed, Sherry Williams and Reisha Thissell the candidates to be interviewed.

Mr. Morehouse presented the following motion, with a second from Supv. Goodspeed to enter into executive session for the purpose of conducting interviews for the Assessor and Bookkeeper positions at 6:00pm. With 4 members voting in favor, the resolution is declared carried. Ayes-4 (Arsenault, Morehouse, Vanselow, Goodspeed) Nays - 0

(Councilman Arnold Stevens entered the meeting at 6:40pm)

Supv. Goodspeed presented the following motion, with a second from Mr. Morehouse to adjourn the executive session at 6:55pm. With 5 members voting in favor, the resolution is declared carried. Ayes-5 (Arsenault, Morehouse, Stevens, Vanselow, Goodspeed) Nays - 0

Minutes of the regular meeting of the Town Board of the Town of Johnsburg held on Tuesday February 15, 2011 at 7:00pm at the Town Library, North Creek, NY Supervisor Goodspeed called the meeting to order at 7:00pm and the pledge to the flag was led by Councilman Frank Morehouse, Jr.

Roll call showed the following persons present: Supv. Sterling Goodspeed; Town Councilmen/ Eugene Arsenault, Frank Morehouse, Jr., Arnold Stevens, and Ronald Vanselow; Town Clerk/ William Rawson.

Guests: On attached list

**RESOLUTION NO. 34**

Mr. Morehouse presented the following resolution, and moved its passage with a second from Mr. Arsenault, to accept the minutes of the January 19, 2010 regular Town Board meeting as written. With 5 members voting in favor, the resolution is declared carried. Ayes-5 (Arsenault, Morehouse, Stevens, Vanselow, Goodspeed) Nays - 0

**RESOLUTION NO. 35**

Mr. Morehouse presented the following resolution, and moved its passage with a second from Mr. Stevens, to accept the minutes of the February 2, 2010 regular Town Board meeting as

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

Supv. Goodspeed noted that Town of Johnsbury Superintendent of Highways Daniel Hitchcock had requested by written correspondence that the Town Board authorize the purchase of an eight foot plow for the 2011 F-250 highway vehicle at a cost of \$4020.40; he added that the item had been moved to this meeting to allow research of a possible budget line for the purchase. In the meantime the purchase of cutting blades for plows by the Highway Department had been discussed by Highway Supt. Hitchcock and the Highway Committee of the Town Board. Following the discussions the Town Board members were polled by telephone and were in agreement to authorize the purchase of the plow and the cutting blades. Supv. Goodspeed asked that the Town Board formally pass a resolution authorizing the purchases by the Highway Department.

#### RESOLUTION NO. 36

Mr. Stevens presented the following resolution, and moved its passage with a second from Mr. Vanselow, to ratify the phone poll of the Town Board members to authorize the purchase by the Highway Department of an eight foot plow for the 2011 F-250 highway vehicle at a cost of \$4020.40 as requested by Town of Johnsbury Superintendent of Highways Daniel Hitchcock in writing at the February 1, 2011 Town Board meeting; and further, to ratify the phone poll of the Town Board members to authorize the purchase by the Highway Department of cutting blades for plows on highway vehicles at a cost of \$6700.00. 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 Mr. Joseph San Antonio stating that he does not wish to continue as a member of the Town of Johnsbury Planning Board past the end of his current term.
2. A letter from Mr. Michael Ellis of the Copperfield Inn Restaurants LLC, notifying the Town Board of the renewal of the liquor license for the Copperfield Inn.
3. A letter from Town of Johnsbury Zoning Enforcement Officer Danae Tucker requesting that the Town Board approve funding for her attendance at a wastewater design training March 30 and 31 in Lake George.
4. A letter from Mr. David Bulmer, President of the Gore Mountain Region Chamber of Commerce, requesting that the Town Board allow a blanket vending permit for the 2<sup>nd</sup> Annual Adirondack Adventure Festival to be held May 6 through 8 in conjunction with the White Water Derby weekend.
5. A letter from the Johnsbury Historical Society requesting that the Town Board approve the hanging of a historically, interpretive sign at the Wevertown Community Center.

#### COMMITTEE REPORTS:

#### OLD BUSINESS:

Supv. Goodspeed gave a brief update on the contract negotiations between Warren County and the train operators. Supv. Goodspeed said that he expects that the negotiations will move

forward and a contract will result; he added that the negotiations are very complex.

Supv. Goodspeed invited Ms. Kate Hartley to update the Town Board on the Main Street mosaic project. Ms. Hartley showed the Town Board a drawing of the proposed mosaic; she explained that Keitan and Saraha Millington, of In Style Flooring, had donated tile for the mosaic and also, had suggested ways to seal the wall upon which the mosaic is to be constructed.

Ms. Hartley asked permission from the Town Board to use a closet in the Wevertown Community Center basement to store materials for the project. Secretary Cherie Ferguson said that she would check with Buildings Superintendent Matt Olden on the use of the closet; Mr. Morehouse suggested installing a lockset on the closet if it is not being used to secure the materials being stored there.

Ms. Hartley said that she is hoping that the Town Board will assist her in contacting Frontier Communications to request permission to build a storage shed on their parcel next to the wall for storage of a saw necessary in working on the mosaic. Assessor Ann Deppe said that she has contact information regarding Frontier Communications and would give it to Ms. Hartley. Mr. Morehouse said that he doubted that the company would give permission due to liability concerns.

Supv. Goodspeed asked about the financial needs for the project; Ms. Hartley said that the Johnsbury Fine Arts Group has agreed to act as financial agent for the project and that an additional six to eight thousand dollars was needed above the currently awarded funding for the project. Supv. Goodspeed said that he would seek additional funding possibilities. Mr. Mark Schmale said that a Plattsburgh based company, Schluter Systems, may offer assistance in return for the beneficial publicity.

Supv. Goodspeed reported on the February 10, 2011 the Town Board conducted an emergency Special Town Board meeting regarding the leasing of property adjacent to Ski Bowl Park from Front Street Mountain Development. Supv. Goodspeed said that the Town Board acted quickly to acquire the property immediately to the north of the new lift at the Ski Bowl Park. This acquisition was to allow the opening of the historic "Hudson" trail for last weekend and Presidents' Week. The lease is for ninety days to allow Front Street to complete a subdivision of the property which will allow a trail around the headwall on the trail to be opened. Mr. Vanselow said that the lease is preliminary to the Town owning the property. Ms. Emily Stanton, marketing manager of Gore Mountain said that the lease agreement allowed ORDA two days of very good use last weekend; she added that the agreement allowed a glade portion of trail to be accessed around the headwall on the trail named "46er" (historic Hudson trail).

#### NEW BUSINESS

Supv. Goodspeed informed the Town Board that the Town of Johnsbury Purchasing Policy was being reviewed; the areas involved are the legality of the Deputy Supervisor signing vouchers in the event that the Town Supervisor was unavailable to sign a voucher for a purchase and the possibility of raising the amount which the Highway Superintendent is allowed to individually sign for from the current amount of three hundred dollars to five hundred or seven hundred and fifty dollars. Supv. Goodspeed explained that the signing amount is several decades old and he believed that in light of current costs that an increase to the signing amount made

sense; he added that both of these items were being reviewed by Town Attorney J. Anthony Jordan.

Supv. Goodspeed informed the Town Board that a request from the Summit at Gore Mountain Development has been received. The request is that the Town of Johnsbury take over maintenance of Freebern Road in the development; Supv. Goodspeed explained that the request has been forwarded to Superintendent of Highways Daniel Hitchcock for his comment. Mr. Vanselow asked if the final decision was to be made by the Town Board; Supv. Goodspeed replied that he believed so and would include input from Highway Supt. Hitchcock. Supv. Goodspeed added that there were questions regarding whether the construction was according to the Town road construction code; he added that it will be brought back to a future agenda for discussion and action.

Supv. Goodspeed asked if the Town Board wished to act upon the request, received in correspondence earlier in the meeting, from the Gore Mountain Region Chamber of Commerce, requesting that the Town Board grant that organization a blanket vending permit for their sponsored event the 2<sup>nd</sup> Annual Adirondack Adventure Festival to be held May 6 through 8, 2011 to be held in conjunction with the White Water Derby.

#### RESOLUTION NO. 37

Mr. Stevens presented the following resolution and moved its passage with a second from Mr. Arsenault to authorize the Town Clerk to issue the Gore Mountain Region Chamber of Commerce a blanket vending permit for their sponsored event the 2<sup>nd</sup> Annual Adirondack Adventure Festival to be held May 6 through 8, 2011 and further, that the Gore Mountain Region Chamber of Commerce, be exempt from the fee for said vending permit. With 5 members voting in favor the resolution is declared carried. Ayes-5 (Arsenault, Morehouse, Stevens, Vanselow, Goodspeed) Nays -0

Supv. Goodspeed reminded the Town Board that Superintendent of Highways Daniel Hitchcock has requested that the Town Board authorize him to post the town roads to protect them from damage and authorize the Town Clerk to advertise the posting of the Town roads.

#### RESOLUTION NO. 38

Mr. Arsenault presented the following resolution and moved its adoption with a second from Mr. Morehouse to direct and authorize the Highway Superintendent to post Town Highways according to Subdivision II of Section 1660 of Vehicle and Traffic Law that all Town Roads will be temporarily closed upon posting to all vehicles having a gross weight of over four (4) tons. Further notice is hereby given that any person or persons violating this order shall be subject to punishment as provided in Section 1800 of the Vehicle and Traffic Law; and further that the Town Clerk is authorized to notice said posting in the North Creek News-Enterprise for two (2) weeks. With 5 members voting in favor the resolution is declared carried. Ayes-5 (Arsenault, Morehouse, Stevens, Vanselow, Goodspeed) Nays - 0

Supv. Goodspeed explained that the Town Board had previously conducted interviews for the advertised positions of sole assessor and bookkeeper and that additional interviews will be

conducted on March 1, 2011. Supv. Goodspeed explained that as a result of information received in the journal from the Association of Towns that the meeting should be opened and the Town Board should then enter executive session for the interviews; he asked that the Town Board reschedule the March 1, 2011 Town Board meeting to begin at 6:00pm to allow additional time for the interviews.

#### RESOLUTION NO. 39

Mr. Stevens presented the following resolution, and moved its passage with a second from Mr. Arsenault that the Town Board authorizes the rescheduling of the March 1, 2011 from the originally scheduled time of 7:00pm to 6:00pm in order to allow time for additional interviews for the advertised positions of sole assessor and bookkeeper; and further, that the Town Clerk is authorized to advertise for one week in the North Creek News Enterprise. 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 act upon the request, received in correspondence earlier in the meeting, from the Johnsburg Historical Society asking that the Town Board allow the hanging of an eighteen by twenty-four inch, interpretive sign purchased with funds received from a Pearsall Adirondack Foundation Grant, at the Wevertown Community Center on the exterior of the building next to the front door.

#### RESOLUTION NO. 40

Mr. Arsenault presented the following resolution and moved its passage with a second from Mr. Vanselow that the Town Board authorizes the hanging of an eighteen by twenty-four inch, interpretive sign purchased with funds received from a Pearsall Adirondack Foundation Grant, at the Wevertown Community Center on the exterior of the building next to the front door.. With 5 members voting in favor the resolution is declared carried. Ayes-5 (Arsenault, Morehouse, Stevens, Vanselow, Goodspeed) Nays - 0

Supv. Goodspeed recognized Mr. Vanselow with a request from the North Creek Business Alliance. Mr. Vanselow said that the North Creek Business Alliance requests that the Town Board present the Brant Lake Taxi Company with a proclamation in appreciation of their work in operating the shuttle for the North Creek Business Alliance.

#### RESOLUTION NO. 41

Mr. Vanselow presented the following resolution, and moved its passage with a second from Mr. Arsenault, that the Town Board of the Town of Johnsburg is appreciative of the work performed by the Brant Lake Taxi Company in operating the shuttle between Main Street, North Creek and the ski center at Gore Mountain and that a proclamation will be drafted by Mr. Vanselow. With 5 members voting in favor, the resolution is declared carried. Ayes-5 (Arsenault, Morehouse, Stevens, Vanselow, Goodspeed) Nays - 0

Supv. Goodspeed recognized Mr. Vanselow who reported that at the last North Creek Business Alliance meeting there was a discussion of camping at the Ski Bowl Park for White Water Derby Weekend; as of yet no organization seems to be interested in running the camping.

Mr. Vanselow said that he expected that the issue would be brought up to the Town Board. Supv. Goodspeed said that Mr. Vanselow should remind the North Creek Business Alliance that there is only one meeting in April and that the time before the White Water Derby will fly by.

Supv. Goodspeed asked if the Town Board wished to act upon the request, received in correspondence earlier in the meeting, from Zoning Enforcement Officer Danae Tucker; ZEO Tucker had requested that she be allowed to attend the onsite wastewater design training to be held on March 30 and 31, 2011, at Lake George, NY; the cost to the Town will be a fifty dollar registration fee and mileage. Supv. Goodspeed asked if the Town Board would allow Z.E.O. Tucker to attend this educational event.

#### RESOLUTION NO. 42

Mr. Stevens presented the following resolution and moved its passage with a second from Mr. Arsenault that the Town Board does authorize Zoning Enforcement Officer Danae Tucker to attend the educational onsite wastewater design training to be held on March 30 and 31, 2011, at Lake George, NY; the cost to the Town will be a fifty dollar registration fee and mileage. With 5 members voting in favor the resolution is declared carried. Ayes-5 (Arsenault, Morehouse, Stevens, Vanselow, Goodspeed) Nays – 0

Supv. Goodspeed recognized Mr. Vanselow to inform the Town Board of an offer from Mr. Paul Loguercio to use his volunteers to make some minor repairs in the lower level of the Tannery Pond Community Center. Mr. Loguercio has run several successful programs for the Youth Committee and also sealed the basement of the Wevertown Community Center. Supv. Goodspeed asked that the Town Board accept Mr. Loguercio's offer and contact the Merriam Agency, the Town's insurance carrier, regarding workers compensation for the volunteers.

#### RESOLUTION NO. 43

Mr. Arsenault presented the following resolution and moved its passage with a second from Mr. Morehouse that the Town Board does accept the offer made by Mr. Paul Loguercio to perform some minor repairs in the lower level of the Tannery Pond Community Center subject to the Town receiving liability clearance from the Merriam Agency, the Town's insurance carrier, regarding workers compensation for the volunteers. With 5 members voting in favor the resolution is declared carried. Ayes-5 (Arsenault, Morehouse, Stevens, Vanselow, Goodspeed) Nays – 0

Supv. Goodspeed reminded the Town Board that there are two vacancies on the Planning Board; there is the vacancy resulting from the expired term of Mr. Joseph San Antonio who does not wish to be reappointed to the Planning Board and the alternate position has been vacant since Mr. Matthew Klippel was appointed to a full term on the Planning Board. Supv. Goodspeed asked if the Town Board wished to advertise the vacancies.

#### RESOLUTION NO. 44

Mr. Stevens presented the following resolution and moved its passage with a second from Mr. Arsenault that the Town of Johnsbury Town Board authorizes the Town Clerk to advertise for one week in the North Creek News Enterprise, for letters of interest in filling a full term

vacancy on the Planning Board; and further, that the Town of Johnsburg Town Board authorizes the Town Clerk to advertise for one week in the North Creek News Enterprise, for letters of interest in filling a vacancy in the position of alternate member of the Planning Board. With 5 members voting in favor the resolution is declared carried. Ayes-5 (Arsenault, Morehouse, Stevens, Vanselow, Goodspeed) Nays – 0

The Town Clerk informed the Town Board that he intends to attend the N.Y.S. Town Clerk association regional educational conference at Lake George on March 7, 2011. The cost for the conference is thirty dollars for registration and the mileage; the item will be paid from the Town Clerk budget line and is not an added, non-budgetary expense.

#### PRIVILEGE OF THE FLOOR

Ms. Jill Broderick expressed displeasure with the removal of snow from Main Street and State Route 28 next to her property at that site; she states that snow is constantly pushed onto her property and the adjacent sidewalk. Supv. Goodspeed said that there is little communication between the Warren County D.P.W. and the New York State Highway Department which plow those roads. Ms. Broderick said that in the Town of Chester that the municipalities work together to clear the roads. Supv. Goodspeed said that he would ask Warren county D.P.W. Superintendent Tennyson to speak with the N.Y.S. Highway about working together to resolve the issue and also to contact Ms. Broderick for information on the problem.

Mr. Robert Nettle said that the volunteer crew has made ice at the skating ring at the Ski Bowl Park and that the skating is being enjoyed by numerous visitors and residents. Supv. Goodspeed said that the work is appreciated and that the area is becoming used much more.

Ms. Emily Stanton, marketing manager of ORDA at Gore Mountain, invited the Town Board to hold a meeting at the Ski Bowl Lodge to see the building as it has been renovated. Supv. Goodspeed suggested the March 15<sup>th</sup> Town Board meeting be moved to that location; he added that the renovation was accomplished without the expenditure of local tax dollars. Supv. Goodspeed suggested that the March 15, Town Board meeting be relocated to the Ski Bowl Lodge.

#### RESOLUTION NO. 45

Mr. Stevens presented the following resolution, and moved its passage with a second from Mr. Arsenault that at the request of Ms. Emily Stanton marketing manager of ORDA at Gore Mountain, the Town Board authorizes the relocation of the March 15, 2011 from the Town Hall, North Creek, NY to the Ski Bowl Lodge (in Ski Bowl Park), 39 Ski Bowl Road, North Creek, New York at the originally scheduled time of 7:00pm; and further, that the Town Clerk is authorized to advertise for one week in the North Creek News Enterprise. With 5 members voting in favor the resolution is declared carried. Ayes-5 (Arsenault, Morehouse, Stevens, Vanselow, Goodspeed) Nays - 0

Ms. Emily Stanton, marketing manager of ORDA at Gore Mountain, thanked the Town Board for its support of the shuttle operated by the North Creek Business Alliance. Ms. Stanton informed the Town Board that the shuttle had been ridden by 1168 individuals prior to Presidents Week in 2010 and that in 2011 that number had increased to 1390; she added that there were 943 riders during Presidents Week in 2010. Ms. Stanton noted that the shuttle is an asset for visitors

and that it is also used by local residents and employees of Gore Mountain. Supv. Goodspeed said that Mr. David Bulmer, President of the Gore Mountain Region Chamber of Commerce, would speak to the problem of the annual lowering of the Occupancy Tax funding; he noted that this year there was a major reduction in Warren County Occupancy Tax funding for the shuttle. Ms. Stanton asked that the Town Board overlook the Town's annual twenty-five reduction rule in the case of funding the shuttle. Secretary Cherie Ferguson said that the discussion had come up a couple of months ago and it was noted that the purpose of the Occupancy Tax funding is to get new projects up and running and then be able to fund themselves through other means. Supv. Goodspeed said that the shuttle is very important to North Creek and that it should continue to be funded. Mr. Vanselow said that the North Creek Business Alliance is seeking state and/or federal funding as well. Ms. Stanton said that she would try to research the number of cars kept off the road through individuals riding the shuttle; she added that she was also seeking other funding sources for the shuttle.

Ms. Emily Stanton, marketing manager of ORDA at Gore Mountain, and Mr. Robert Nessle both suggested the removal of the chain link fence around the play area at the Ski Bowl Park due to its lack of aesthetic aspects. The Town Clerk reminded the Town Board that Mr. Wayne La Mothe, assistant director of Warren County Planning and Community Development had informed the Town Board at an earlier meeting that the fence had been constructed with federal funds and that if it was removed the funds may have to be paid back. Supv. Goodspeed noted that the issue had been discussed and that the fence would need a very secure replacement to help in keeping children attending the summer Youth Program safe.

Supv. Goodspeed asked that the Town Board enter into an executive session to discuss the settlement situation on a real property assessment issue. Mr. Jonathan Alexander, reporter for the Glens Falls Post Star asked if any action was anticipated as a result of the executive session; Supv. Goodspeed replied that it was possible.

Mr. Stevens presented the following motion, with a second from Mr. Morehouse to enter into executive session for the purpose of discussing the settlement situation on a real property assessment issue at 7:55pm. With 5 members voting in favor, the resolution is declared carried. Ayes-5 (Arsenault, Morehouse, Stevens, Vanselow, Goodspeed) Nays - 0

Also present at the request of the Town Board was Assessor Ann Deppe.

Mr. Vanselow presented the following motion, with a second from Mr. Morehouse to adjourn the executive session at 8:19pm. With 5 members voting in favor, the resolution is declared carried. Ayes-5 (Arsenault, Morehouse, Stevens, Vanselow, Goodspeed) Nays - 0

Supv. Goodspeed noted that no action resulted from the executive session.

#### RESOLUTION NO. 46

Mr. Vanselow 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 #4G/Claims #72-88; Highway Fund- Warrant #4H/Claims #29-42; North Creek Water Dist.- Warrant #3W/Claims#9-15; Library Fund-

Warrant #2L/Claims#7-10. 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. Morehouse with a second from Mr. Stevens at 8:20pm. 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 6:00pm on March 1, 2011 at the Wevertown Community Center, Wevertown, NY.

-----  
Prepared by William Rawson, Town