

**Minutes of the Town of Johnsbury Regular Board Meeting February 16, 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 February 16, 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

Supv. Goodspeed noted that he was not in perfect health and would try to work quickly through the meeting.

**RESOLUTION NO. 52**

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. 53**

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

**CORRESPONDENCE:**

**COMMITTEE REPORTS:**

**OLD BUSINESS:**

Supv. Goodspeed recognized Mr. David Bulmer and Ms. Kate Nightingale for an update and discussion of the Adirondack Adventure Weekend planned for April 30 through May 2. Mr. Bulmer explained that the Adirondack Adventure Weekend is an attempt to bolster the White Water Derby weekend and it was created as a separate entity in order to access more Occupancy Tax funding from Warren County and the Town of Johnsbury. The Adirondack Adventure Weekend will feature fly fishing classes and demonstrations, hiking trips, geo caching, kyaking lessons and demonstrations and bicycling trips-some in conjunction with the Upper Hudson River Railroad. The gondola at Gore Mt. is expected to be operating for the weekend as well. There will also be specials at local businesses. The Chamber of Commerce is obtaining town-wide insurance for the weekend and may possibly expand this for any events for the entire year. Mr. Bulmer noted that the Chamber of Commerce may ask the Town Board for a blanket vending permit for the weekend. The second part of the discussion involved the Chamber of

Commerce asking if there was a possibility of camping being allowed at the Ski Bowl Park for the weekend. Ms. Nightingale has spoken with Warren County representatives about camping at the Kellogg (Waddell) property and found out that it is probably not allowed. Mr. Bulmer suggested that the Town allow camping near to the beach and that the Chamber of Commerce would look for a non profit organization or organizations to run the camping. Mr. Vanselow said that he was expecting to speak to DEC officer Steve Ovitt for organizational advice; he added that he believed that if camping were to be allowed for the general public that it should be near the pond and with a limited number of campers allowed. Supv. Goodspeed said that there needs to be “real” control of the camping especially regarding drugs and alcohol; he noted that the State Police lost control of the campers at the Ski Bowl Park when camping was last allowed. Supv. Goodspeed added that since the last time camping was allowed that significant capital improvements have been made in the park. Mr. Bulmer agreed that there should be a very limited number of sites; Mr. Peter Heid suggested four persons per site and Ms. Nightingale agreed that the number per site should be very limited. Mr. Stephen Hayes said that he had worked to try to control the camping at the Ski Bowl Park and that numerous underage drinkers snuck on and off the property making control very difficult to enforce. Mr. Paul Heid said that this pointed out the problem of no commercial camping in the Town; he added that he understood the difficulty of operating such a business. Mr. Paul Heid suggested that camping be done only by registration. Ms. Nightingale suggested that there be a charge for camping and that it be set at an amount which would help limit those who would ignore the rules. Mr. Arsenault said that he would be open to discussion on camping; he said that a plan would be needed. Mr. Morehouse said that he would be open to a discussion; he added that control would need to be addressed as control can be quickly lost. Mr. Stevens said that he was open to discussion, but would need a strong argument to convince him to support allowing camping; he added that alcohol must not be allowed. Ms. Nightingale asked how a ban on alcohol could be legally enforced; Supv. Goodspeed said that the Town Board could pass a resolution that campers must agree to no alcohol and submit to a search. Mr. Bulmer said that the Chamber of Commerce would return with a plan at the next meeting.

Supv. Goodspeed informed the Town Board that telephone lines have been installed for the upper meeting room and the lower lobby of Tannery Pond Community Center to allow for the Town Attorney to be available to the Planning Board and the Zoning Board of Appeals by conference call. A telephone will be available at the Town Hall which will work on the system; this will allow telephone calls to be tracked. Also, the emergency telephone and alarm in the elevator of the same building has been connected to bring the building up to code. The emergency telephone in the elevator will allow for eavesdropping on telephone calls from the box office. Mr. Stevens asked that a notice be placed to inform users of that phone that their conversations may be overheard. Supv. Goodspeed noted that the cost for the connection was approximately seventy dollars.

Supv. Goodspeed informed the Town board that a local log home company will donate the materials to replace the dugouts and concession stands at the baseball fields in North Creek and Sodom; he added that he is requesting that the Town Board pass a resolution of support for the project and authorize the Town Highway Department remove the current buildings as time

allows. Supv. Goodspeed said that he has discussed the removal with Highway Supt. Hitchcock and he has agreed to perform the removals on a time available basis and not to interfere with road maintenance. A local contractor has agreed to rebuild the buildings with the materials from the log home company. Supv. Goodspeed asked that the Town Board pass a resolution of support for the replacement project.

#### RESOLUTION NO. 54

Mr. Arsenault presented the following resolution, and moved its passage with a second from Mr. Stevens, to authorize Highway Superintendent Daniel Hitchcock to remove the current dugouts and concession stands at the baseball fields in North Creek and Sodom and to generally support the replacement of the current buildings with materials donated by Okemo Log Homes and construction of replacement dugouts and concession stands by Reidinger & Sons. With 5 members voting in favor, the resolution is declared carried. Ayes-5 (Arsenault, Morehouse, Stevens, Vanselow, Goodspeed) Nays - 0

Supv. Goodspeed updated the Town Board on the Main Street to Gore Mt. shuttle; he said that the ridership has increased and on a recent day carried in excess of one hundred riders. The shuttle seems to be working to get people into the hamlet from Gore Mountain. Mr. David Bulmer noted that the shuttle had received Occupancy Tax funding from both the Town and Warren County and both will be reduced next year; he asked how funding for an expanded service could be obtained. Supv. Goodspeed said that this would be a necessary future discussion to continue the additional foot traffic on Main Street of North Creek. Supv. Goodspeed added that both the Glens Falls Post Star and local television station were surprised at how busy the hamlet had been this past weekend.

#### NEW BUSINESS

Supv. Goodspeed informed the Town Board that he had received a request for a resolution of support the construction of New York Interstate 98, a new four lane highway to run roughly parallel to the current New York State Route 11. The Northern Corridor Transportation Group has requested resolutions of support from any and all towns in New York State. Mr. Stevens said that he has followed the discussions on this proposed highway on North Country Public Radio and noted that there seemed to be mostly positive responses to the project. Mr. Vanselow said that he had mixed feelings regarding the proposed highway seeing it as a mixed blessing which will injure some through bypassing and also, the ongoing problem of maintaining current infrastructure. Mr. Arsenault questioned whether rail or a highway would best serve the needs of the area.

#### RESOLUTION NO. 55

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

Whereas, the economic impact of North Country transportation improvement is a key component of the North Country Transportation Study, and

Whereas, the economic development impact analysis has measure the value to the regional economy of efficiency gains through user benefits such as reduction in travel time, reductions in operating costs, and reductions in accidents due to improved safety, and

Whereas, the gains through increased social and economic development opportunities due to improved transportation access will reduce unemployment rates, reduce government transfers payments such as social welfare and unemployment insurance, and increase employment in the region, and

Whereas, the transportation improvements can enhance access to labor, customer, tourism and supplier markets, as well as to intermodal transportation facilities, making the overall region more attractive to transportation-dependent industries, and

Whereas, the construction of a four lane highway within the boundaries of St. Lawrence, Franklin, Lewis, Jefferson and Clinton counties will begin to address the transportation improvement necessary to foster such economic growth, and

Whereas, our elected New York and Congressional representatives can be assured that the Johnsbury Town Board adamantly supports such four lane highway construction,

Now, Therefore, Be it Resolved, that the Johnsbury Town Board urges acting New York State Commissioner of Transportation, Mr. Stanley Gee, to cooperate with local transportation task force groups to push for the construction of a four lane highway within the boundaries of St. Lawrence, Franklin, Lewis, Jefferson and Clinton counties, and

Be It Further Resolved, that a copy of this resolution be forwarded to the Northern Corridor Transportation Group.

With 3 members voting in favor, the resolution is declared carried. Ayes-3 (Arsenault, Stevens, Goodspeed) Nays – 2 (Morehouse, Vanselow)

Supv. Goodspeed informed the Town Board that the Warren County Planning Department would begin working on an update to the First Wilderness Heritage Corridor Action Plan and requested that the Town appoint a working group to represent the Town in this process. Supv. Goodspeed added that he had asked Michelle SanAntonio, Helen Miner, David Bulmer and JoAnne (Smith) Rugge if they would represent the Town and they had agreed; he asked that the Town Board appoint these individuals to represent the Town. Mr. Morehouse indicated that he would abstain from voting as he is related to Ms. Michelle SanAntonio.

#### RESOLUTION NO. 56

Mr. Arsenault presented the following resolution, and moved its passage with a second from Mr. Vanselow that the Town Board authorizes the appointment of the following individuals to represent the Town in working on an update to the First Wilderness Heritage Corridor Action Plan with the Warren County Planning Department: Michelle SanAntonio, Helen Miner, David Bulmer and JoAnne (Smith) Rugge. With 4 members voting in favor, the resolution is declared

carried. Ayes-4 (Arsenault, Stevens, Vanselow, Goodspeed) Nays – 0 Abstention – 1 (Morehouse)

Supv. Goodspeed recognized Secretary Cherie Ferguson explain to the Town Board that a Department of Motor Vehicles program called License Event Notification Service (LENS) has been made available at no charge to government agencies, municipalities and fire companies. The service will provide notification of the expiration, revocation or suspension of a driver license; traffic convictions; reportable accidents; the completion of a driver training course. As this is information which is to be made available to the Town by drivers of Town vehicles she is requesting that the Town Board authorize the enrollment in the program to be sure that reports are made accurately and in a timely fashion.

#### RESOLUTION NO. 57

Mr. Morehouse presented the following resolution and moved its passage with a second from Mr. Arsenault that the Town Board authorizes enrollment in the NYS Department of Motor Vehicles License Event Notification Service (LENS) program as there is no charge to government agencies and municipalities. With 5 members voting in favor the resolution is declared carried. Ayes-5 (Arsenault, Morehouse, Stevens, Vanselow, Goodspeed) Nays - 0

Supv. Goodspeed recognized Town Clerk William Rawson to explain a request to have the Town Board authorize him as the sole signatory on the three accounts for which he is responsible. The Town Clerk has been informed by Community Bank that there are several “authorized” signers on the three accounts for which the Town Clerk is responsible; some of the so called “authorized” signers are no longer associated with Town government. The Town Clerk requests that the Town Board acknowledges and authorizes, by resolution, that the only authorized signer on the three following accounts for which the Town Clerk is responsible, be the Town Clerk, William E. Rawson: Tax Collection account, Town Clerk Trust and Agency account and the D.E.C. license account.

#### RESOLUTION NO. 58

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 acknowledges and authorizes that the only authorized signer on the three following accounts for which the Town Clerk is responsible, be the Town Clerk, William E. Rawson: Tax Collection account, Town Clerk Trust and Agency account and the D.E.C. license account; these accounts are at the Community Bank, N.A., North Creek, NY. With 5 members voting in favor, the resolution is declared carried. Ayes-5 (Arsenault, Morehouse, Stevens, Vanselow, Goodspeed) Nays - 0

Supv. Goodspeed updated the Town Board on a significant development at Warren County regarding the railroad operation. Warren County offered a RFP (Request for Proposal) regarding the operation of the railroad. Supv. Goodspeed reported that apparently most of the advertising of the RFP was misdirected to those interested in railroad ridership not railroad operation. More appropriate recipients have been found and three organizations presented business plans regarding the operation of the railroad; one of the presentations was a group on the order of the current operator and two presentations were made by companies with much different and larger

business plans. The latter presenters wish to include commuter, freight and tourist components and require a connection to Saratoga Springs and further, to Schenectady. The latter presenters also suggested several business publications in which to advertise and suggested possible changes to the RFP to better fit industry models. The latter presenters also both agreed that they would assume track maintenance and institute insurance of the operation; one suggested upwards of one hundred million in insurance. The presenters demonstrated a great depth of knowledge and plan to make major tourist upgrades. Supv. Goodspeed explained that the presenters were looking for Warren County to help arrange the transfer of some freight rights from C.P. Rail on this line. Mr. Paul Heid said that the presenters' plans seem to be self sufficient and would remove costs from the taxpayers. Mr. Joseph LaRocque asked if there was any interest in going north from North Creek; Supv. Goodspeed replied that there seemed to be some interest in reaching the Barton Mines plant in North River for freight hauling.

#### PRIVILEGE OF THE FLOOR

Mr. Paul Heid said that he was disappointed with people walking dogs in the area of the beach and not cleaning up after the dogs. Supv. Goodspeed said that he would try to get some enforcement from the Parks Department on this issue.

Mr. Robert Nettle asked if there had been any movement on the wastewater project; Supv. Goodspeed replied that a committee had been formed and that he was to meet with Engineer Jim Suozzo soon, and would have a report at the next Town Board meeting. Supv. Goodspeed noted that Mr. Vanselow was on the committee and asked if he had any additional information. Mr. Vanselow said that the committee consisted of Gore Mt. Manager Mike Pratt, Mike Bowers and Joel Beaudin of the North Creek Business Alliance and himself; he added that the committee was seeking an additional member. Mr. David Bulmer asked if a municipal system could be forced on the Town in the North Creek hamlet; Supv. Goodspeed replied that it has been suggested that within ten years it will be ordered.

Mrs. Margaret Prashaw asked the Town Board to reinstate curbside recycling collection; Supv. Goodspeed replied that it could be discussed. Supv. Goodspeed explained that the curbside recycling collection was eliminated as a part of the plan to keep the Town tax from increasing; it included the elimination of a position in the savings. Mrs. Prashaw said that the elimination of the recycling collection was difficult for older citizens; Supv. Goodspeed said that the elimination was an attempt to contain tax increases and that it was planned to look at the amount of recyclables to decide if the amount had decreased substantially; he added that the recyclables could be held for a period of time, unlike garbage. Mrs. Prashaw said that it appears that all Town services and funding seem to go to businesses and/or tourists. Supv. Goodspeed said that hopefully, when the burn plant contracts expire that the Town may find a less expensive alternative for trash removal. Mr. Vanselow said that if the recycling collection at the Transfer Station drops significantly that the curbside collection should be revisited; he added that he does not want to see the program fail. Mr. Stevens noted that private collection had been discussed at the previous meeting and asked if this has moved forward. Mr. Robert Nettle said that he would be speaking to the individual in the near future. Mrs. Mavis Mahoney said that this would be at an additional cost to individuals and not included in the taxes as previously. Mrs. Mahoney asked if the new construction wasn't improving the tax revenues; Supv. Goodspeed replied that building has decreased lately and that the NYS Office of Real Property has increased the worth

of the Town of Johnsbury in Warren County. Supv. Goodspeed added that he was trying to stop tax increases at both the town and county levels.

Mr. David Bulmer asked if there was any appeals process by which the NYS Office of Real Property value increase can be challenged by the Town; Supv. Goodspeed replied that the NYS Office of Real Property has the authority to make this change without an appeal. Supv. Goodspeed said that he had discussed the process with both the Warren County Attorney and the Warren County Office of Real Property Taxes. Supv. Goodspeed added that NYS has cut support to the towns and counties.

Supv. Goodspeed said that the illness which he had mentioned at the beginning of the meeting has become much worse and asked to move toward finishing the meeting.

Town Clerk William Rawson explained to the Town Board that the previously approved payment to Warren County Self Insurance (JFPD #1 by Resolution 39 of 2010) had been partially paid by the Johnsbury Vol. Fire Company and that vouchers number 2 and 3 of Warrant #2JFPD were replacing the payment with the total amount being split between a reimbursement to the Johnsbury Vol. Fire Company and the balance to complete the payment to Warren County Self Insurance.

#### RESOLUTION NO. 59

Mr. Stevens presented the following resolution and moved its passage with a second from Mr. Arsenault that the following certified bills which have been reviewed by the board members be paid: General Fund- Warrant #4G/Claims #71-93; Highway Fund- Warrant #4H/Claims #30-42; North Creek Water Dist.- Warrant #4W/Claims#12-14; Johnsbury Fire Protection District- Warrant #2JFPD/Claims #2-3; Library Fund-Warrant #2L/Claims#8-12, and further, the Town Board acknowledges that on Warrant #2JFPD that claims number 2 and 3 replace claim number 1 (JFPD #1 by Resolution 39 of 2010) where the Johnsbury Vol. Fire Company had previously paid the Workman's Compensation and therefore is being reimbursed and the balance of the bill is being paid to Warren County Self Insurance. 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. Vanselow at 8:10pm. 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 March 2, 2010 at the Wevertown Community Center, Wevertown, NY.

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Prepared by William Rawson, Town