

**Minutes of the Town of Johnsbury Regular Board Meeting May 1, 2012  
Held at the Wevertown Community Center, Wevertown, NY.**

Minutes of the regular meeting of the Town Board of the Town of Johnsbury held on Tuesday, May 1, 2012 at 7:00pm at the Wevertown Community Center, Wevertown, 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/ Katharine Nightingale, Peter Olesheski, Jr, Arnold Stevens; Town Clerk/ William Rawson. Town Councilman Eugene Arsenault was absent.

Guests: On attached list

Supervisor Vanselow noted that he planned to ask the Town Board to enter executive session to discuss a personnel negotiation issue and that he expected that there would be no action taken as a result of the executive session.

**BID OPENING:**

The Town Clerk read the Legal Notice for the Cemetery Mowing Bid as it appeared in the North Creek News-Enterprise edition of April 14, 2012. Three copies of the bid packet were picked up or requested by e-mail; one was requested by Volt Landscaping, one picked up by Mr. John Helms and one was picked up by a person who did not give his name. One bid was returned by John Helms on April 30. Mr. Helms' bid was in the amount of \$5870.00 for mowing the cemeteries twice during the summer of 2012.

The Town Clerk explained that only one bid packet for the Town Hall Roof Replacement Bid was requested by Reed Construction Data and no bids were returned to be opened. The legal notice was in the North Creek News-Enterprise edition of April 14, 2012 and it was not read.

Supervisor Vanselow noted that the Town Board could re-advertise in the North Creek News Enterprise or re-advertise in the North Creek News Enterprise and the Glens Falls Post Star (cost approximately \$125.00 per entry). Mr. Olesheski asked if it was necessary to be advertised again in the North Creek News Enterprise; the North Creek News Enterprise is the paper of record for legal notices and a re-bid must be advertised there. Following a short discussion it was suggested that the legal notice be placed again in the North Creek News Enterprise.

**RESOLUTION NO. 119**

Ms. Nightingale presented the following resolution, and moved its passage with a second from Mr. Olesheski, to authorize the Town Clerk to re-advertise the bid for the Town Hall Roof Replacement for one week in the North Creek News-Enterprise; and further, to set the date and time for the final acceptance of bids at 12:00 pm on June 5, 2012 and further, that the bid opening

will be at 7:00pm at the June 5, 2012 Town Board meeting at the Wevertown Community Center, Wevertown, New York; and further that the Town will solicit bids as well. With 4 members voting in favor, the resolution is declared carried. Ayes-4 (Nightingale, Olesheski, Stevens, Vanselow) Nays – 0

Supervisor Vanselow noted that the bid received for Cemetery Mowing seemed to be reasonable and it was the same individual who had provided mowing last year. The amount of the bid was \$5870.00 and Supervisor Vanselow said that if the Town Board was amenable that a mowing in the middle of the summer could be paid for by the budget line. Mr. Stevens said that the bid seemed to be a good one.

#### RESOLUTION NO. 120

Mr. Stevens presented the following resolution, and moved its passage with a second from Ms. Nightingale, to accept the bid for Cemetery mowing received from Mr. John Helms in the amount of \$5870.00 for mowing the cemeteries twice during the summer of 2012. With 4 members voting in favor, the resolution is declared carried. Ayes-4 (Nightingale, Olesheski, Stevens, Vanselow) Nays – 0

#### RESOLUTION NO. 121

Mr. Stevens presented the following resolution, and moved its passage with a second from Ms. Nightingale, to accept the minutes of the April 17, 2012 regular Town Board meeting as written. . With 4 members voting in favor, the resolution is declared carried. Ayes-4 (Nightingale, Olesheski, Stevens, Vanselow) Nays – 0

#### CORRESPONDENCE:

1. A request from Mrs. Denise Conti for the Upper Hudson Musical Arts that the Town Board waive the ten per cent fee on the proceeds from their April 28, 2012 music scholarship benefit concert in order to allow the fees to be used in increasing the amount of the scholarship.

#### COMMITTEE REPORTS:

Supervisor Vanselow said that the new front entry doors have been installed at this building by Buildings and Parks Superintendent Matt Olden. Supervisor Vanselow said that the concrete steps at the side exit from this building will be the next item on the repair list for the buildings as the concrete is so rotten that it can be moved by hand.

#### OLD BUSINESS:

Supervisor Vanselow reminded the Town Board that at the previous meeting that it had been decided to set aside a substantial portion of this meeting to discuss the Ski Bowl Park grant. Supervisor Vanselow said that he had asked Mrs. Kelly Nettle to answer the following questions: if the Town will qualify for an extension, if there can be partial submissions and if the NYS Office of Historic Preservation and Parks will accept the proposed substitutions. Supervisor Vanselow said that following the discussion which they had with Sherry Williams, the Town Bookkeeper he

asked the questions about the Town finances in a different way and received the information that the Town will be able to access about \$40,000.00 instead of the \$18,000.00 which had been the amount reached during the earlier discussion. This amount could be made available with Town Board budget action. There was also more investigation of the Betty Little grant which was not yet reimbursed and this would make a total of about \$52,000.00.

As Mrs. Nessel would need some time to set up her presentation Supervisor Vanselow suggested that Mr. Steve Ovitt make his presentation on the multi-use trail portion which is a proposed change to the grant and which will be a replacement for the skateboard portion of the grant. Mr. Ovitt distributed a written proposal to the Town Board. Mr. Ovitt explained that a multi-use trail on Town property would complement other biking and hiking trails to attract tourists to the Town as a destination area. Mr. Ovitt said that it would also be a basis for additional volunteer projects such as Eagle Scout projects among others. The development of this trail would involve volunteer as well as some paid labor and equipment. The trail would be done by hand and it would possibly be three or four feet wide in some parts. Mr. Ovitt said that this would be designed so as to not resemble a road and also to be mostly self-maintaining. Mr. Ovitt said that he believes that it will be used by both residents and tourists. Supervisor Vanselow thanked Mr. Ovitt for his presentation and asked if the entire trail was envisioned to be about six kilometers at build out. Mr. Ovitt said that was correct and that the trail in the Ski Bowl Park could be connected to other existing trails leading to Garnet Hill Lodge. He noted that there were several natural scenic spots along the trail for rest and picnic breaks and many are available to either the young or the elderly. He added that while the trail goes around the transfer station the facility is not seen from the trail. Mr. Ovitt said that other communities, such as Rutland Vermont are receiving up to \$400,000.00 in grants for trails. Mr. Jeff Palka, owner of The Source Sporting Equipment store, said that the trails would attract many biking vacationers and that the trails would start in the center of the hamlet of North Creek which would be a major benefit for the businesses. This would also benefit the summer season in the area. Mr. Ovitt said that in some places the trails are being created to bring the bicyclists through the business districts. Mr. Ovitt and Mr. Palka noted that the Saratoga North Creek Railroad is trying to attract a younger and more family oriented demographic by rearranging their schedule and this multi-use trail would work well with that plan.

Mrs. Kelly Nessel was now ready to make her presentation on the grant funding and scheduling. Mrs. Nessel handed out to the Town Board copies of her presentation. Mrs. Nessel explained the history of the grant and the awarding of the approximately \$115,820.00 grant. The grant will need to be performed by November 2012 according to the terms of the contract. This is 50% matching grant. The original grant included an adventure playground, a dock for the swimming area at the park, skate park elements, walking trails with the associated signage and resurfacing of the tennis and basketball courts and associated design costs. Mrs. Nessel explained that the Town will need to submit bills, in kind service records and volunteer labor records for a total of \$115,820.00 in order to be reimbursed in the amount of \$57,910.00. Changes can be made within the grant awarding parameters and with the approval of the granting/oversight agency. Mrs. Nessel said that in reply to the question of an extension there will be consideration of an extension

if substantial progress has been made. Mrs. Nettle said that agency's office in Albany is being moved from its current site to a new location and that this is causing difficulties in getting a reply on the requested changes; Mrs. Nettle said that she sent the list of requested changes to the regional office in Saratoga before the Town Board meeting in an attempt to expedite the request. Mrs. Nettle said that instead of the activity dock the reclamation of the swimming area is included, the adventure playground is reduced in order to fund the multi-use trail project, and the amount of signage is increased. Mrs. Nettle said that volunteer labor will provide a credit in place of actual money spent; there is an estimated total of approximately \$50,000.00. Currently, \$19,800 in credit can be submitted for reimbursement at this time.

Mrs. Nettle provided a schedule for finishing the grant work in three phases this summer to work on all phases of the grant beginning in May and going through November with phase one costing \$39,012.00, phase two costing \$35,667.00 and phase three costing \$14,150.00. Supervisor Vanselow said that the next conversation would have to be about funding and he asked if the costs listed were cash expenditures of Town funding or including reimbursements. Mrs. Nettle said that this would be the costs to the Town for which the Town would be seeking reimbursement and that the reimbursement money could then be used for additional work on the grant; Supervisor Vanselow said that the reimbursement would not come that quickly.

Supervisor Vanselow said that there were two major points to look at: first, progress was being made in identifying what we currently have and that picture is getting better; the second is that for the remainder of this year and next this will be the Town Board and if this Town Board commits to the project this Board will be expected to move forward. If the Town Board commits to do this over a two year period that one could expect the Town Board to continue to move forward.

Mr. Olesheski said that the question is what will the NYS agency deem significant progress as four years have passed; an extension is not guaranteed and if not finished then the projects started will possibly have to be stopped or full funding found. Supervisor Vanselow said that he would like move forward in some items and added that any sane person should understand that in the past two years the entire country has gone through the worst economic period since the Great Depression and that merely keeping the basics under way is the most important activity of the local government. Supervisor Vanselow said that there is the question of a bond anticipation note for about six months which is an additional discussion. Mrs. Nettle said that the overall cost to the Town will be \$38,000.00 and possibly less if she can find additional grant funding. Supervisor Vanselow said that that was the long term amount, but the Town will need to come up with considerably more than that in the short term. Supervisor Vanselow said that he wants to begin these projects; the long term financial picture will be discussed at the next or following meeting. Supervisor Vanselow said that he wants to try to get further information on the possibility of an extension. Mrs. Nettle said that due to the confusion at the NYS Office of Parks and Historic Preservation. Mr. Olesheski said that there is no point in beginning prior to the NYS agency approval; Mrs. Nettle said that the concrete pad and the boulder installation are already approved and could be begun at this time. Mr. Olesheski said that the Town Board could move at this time on the concrete pad, boulder acquisition and installation with funds that are currently on hand. Mr.

Olesheski said that if we are going to begin the parts of the project which are already approved are where we need to begin; would like to move forward and also would like to see the grant finished in one year. Mr. Olesheski said that he would like to begin the boulder at this time; he added that the kids in Town have been waiting five years for the new playground.

Supervisor Vanselow said that he would like to hear from the other members of the Town Board. Ms. Nightingale said that she would like to begin at this time. Supervisor Vanselow said that he would like to move forward on the multi-use trail and noted that he is worried about tying up the funding in the playground and not being able to work on the trail. Supervisor Vanselow added that he would almost favor the trail project even without the grant funding. Supervisor Vanselow said that he was seeking a conceptual decision on the trails as quickly as possible. Mrs. Nessel explained that part of the information which she had handed out included the breakdown of the costs and also possible additional sources of donations or grant funding. Mr. Olesheski said that while he thought that the multi-use trail was a fantastic idea, but he did not know that it should be given top priority over previously approved items. Mr. Olesheski said that although it has been mentioned that Town Board can't bind future Town Boards some of the current Town Board members have voted to move forward and accept the proposed items. Mr. Olesheski said that he has children who will use the playground equipment and also said that there were already sites in Town to provide the same experience offered by the multi-use trail.

Supervisor Vanselow asked if there was any Town Board consensus on how to move forward at this time. Supervisor Vanselow said that he believed that there were lots of less expensive elements of the playground or possibly moving forward on some of the multi-use trail work; he added that he believed that tying up \$20,000.00 in a climbing boulder was putting all of the Town's eggs in one barrel. Mr. Olesheski suggested doing the playground in year one and beginning the multi-use trail in year one and finish it in year two. Mr. Olesheski suggested that this would provide approximately \$30,000.00 in costs for reimbursement. Mr. Olesheski asked Mr. Ovitt if there was a possibility that the multi-use trail would not be finished in one year; Mr. Ovitt said that he had been asked to provide a plan which could be finished in one year. Mr. Ovitt said that the timing would depend a great deal on being ready to begin when the college students return home for their break. Ms. Nightingale said that she wants to see the playground work start and noted that approval for changes was needed in most other phases.

Mrs. Nessel asked how difficult it would be for the Town Board to take on the idea of a bond anticipation note; is it scary or a possibility. Supervisor Vanselow said that some people are averse to going into debt and others are averse to going into debt to benefit one particular area of Town and not all areas or for some projects; it could be said to be for the entire Town as it is the Town's park. Mr. Olesheski said that as much as he wants to see the grant completed this year he sees a bond as the last option; Ms. Nightingale agreed. Supervisor Vanselow said that the signs and the pond work are not planned for funding at this time. Mrs. Nessel said that the signage could be worked on with materials and funding on hand. Supervisor Vanselow said that he does think that there are additional funds available for the project; he said that he is prepared to support the resolution. Mr. Stevens said that he has spoken to Supervisor Vanselow and if the money is

available he is supportive; he is in support of moving ahead with the motion to begin the playground work and also to find out as soon as possible if the trail project can be approved as well. Supervisor Vanselow said that budget amendments and possible bids are actions which will need to be taken by the Town Board.

#### RESOLUTION NO. 122

Mr. Olesheski presented the following resolution, and moved its passage with a second from Ms. Nightingale, to move forward with the entire playground portion of this grant in the approximate amount of \$20,000.00, with work beginning immediately; and further, contingent upon approval from the NYS Office of Parks and Historic Preservation approving the modifications to the grant to use the balance on phase one of the trail project. With 4 members voting in favor, the resolution is declared carried. Ayes-4 (Nightingale, Olesheski, Stevens, Vanselow) Nays – 0

Mr. Olesheski asked if it would be appropriate for the Town Board to give permission to move recreation fee monies at this time; Supervisor Vanselow said that he was not prepared to do so at this time. Supervisor Vanselow said that specific budget lines need to be listed. Secretary Cherie Ferguson said that the specifics will need to be put together and the entire cost of the project has to be decided. Supervisor Vanselow asked how detailed the resolution needed to be to set a bid process in motion; the Town Clerk said that times for the bid delivery, the bid opening , the specifics of the bid and the advertising all need to be addressed. Mr. Stevens suggested that the Town Supervisor be authorized to set the time and to collect the information for the bid package.

#### RESOLUTION NO. 123

Mr. Stevens presented the following resolution, and moved its passage with a second from Mr. Olesheski, to authorize the Town Supervisor to accumulate bid specifications for the playground elements of the Ski Bowl Park grant and to establish a timetable for the advertising of the bid and also, for the bid closing and the opening of the bid. With 4 members voting in favor, the resolution is declared carried. Ayes-4 (Nightingale, Olesheski, Stevens, Vanselow) Nays – 0

Supervisor Vanselow asked if the Town Board having had two weeks to review the proposed "Complete Streets" policy the Town Board wished to approve of the policy; he added that the most of the elements involved will be a part of the Streetscape project and the multi use biking trail. Supervisor Vanselow said that the Town is not planning to build any new roads, but to make the current roads as bike friendly as possible if any changes or improvements are to be made. Supervisor Vanselow said that there would be a \$1500.00 payment for bicycle racks or benches and this could be used as part of the match for the Streetscape grant.

#### RESOLUTION NO. 124

Ms. Nightingale presented the following resolution, and moved its passage with a second from Mr. Olesheski, to accept the following policy:

I. Whereas, "Complete Streets" are defined as roadways that enable safe and convenient access for all users, including bicyclist, pedestrian's children, person with disabilities, motorists, user of public transportation, and seniors.

II. Whereas, walking and bicycling contribute to health, fitness and economic development; are important forms of transportations and recreation in our community; and

III. Whereas, cost effective roadway and facility improvements can be proved as both 'stand alone' projects and integrated into projects and programs; and

IV. Whereas, educating the public about safety, health and mobility are part of being a quality community;

Now, therefore the Town of Johnsbury hereby resolves to establish Complete Street Policy as follows:

**Engineering:** The community's infrastructure will include a complete system of bikeways, pedestrian facilities and shared use paths, bicycle parking and safe crossing connecting our residence, businesses and public places.

Bicycle and pedestrian facilities shall be provided in new construction, reconstruction and maintenance projects in the community **unless** one of the following conditions is met:

- Use by bicyclists and pedestrians is prohibited by law, such as within interstate highway corridors; or
- The cost would be disproportionate to the need as determined by factors including, but not limited to, the following; land use context; current and projected traffic volumes; and population density; or
- Demonstrated lack of need as determined by factors, including, but not limited to, land use, current and projected traffic volumes, including population density, or demonstrates lack of community support or
- Use of the design features would have an adverse impact on, or be contrary to, public safety.

Bicycle and Pedestrian facilities will be provided and maintained in accordance with guidelines adopted by the USDOT, NYSDOT and AASHTO.

**Encouragement:** The community will promote bicycling and walking for health, fitness, transportation and recreation through events, programs and other activities which benefit residents, businesses and visitors of all ages and abilities.

**Enforcement:** The community will provide balanced enforcement of the New York State Vehicle and Traffic Law for motorists, pedestrians and bicyclists.

With 4 members voting in favor, the resolution is declared carried. Ayes-4 (Nightingale, Olesheski, Stevens, Vanselow) Nays – 0

Supervisor Vanselow noted that there were two vacancies on the Johnsbury Youth Committee

including the position of Mrs. Kelly Nessel which will end May 10, 2012. Mrs. Nessel indicated that she wished to continue in her position. Supervisor Vanselow asked if the Town Board wished to advertise for the vacancy on the Johnsbury Youth Committee.

#### RESOLUTION NO. 125

Mr. Stevens presented the following resolution, and moved its passage with a second from Mr. Olesheski, to advertise to fill a vacancy on the Johnsbury Youth Committee with a term on May 10, 2013, in boxed advertising for one issue in the North creek News-Enterprise. With 4 members voting in favor, the resolution is declared carried. Ayes-4 (Nightingale, Olesheski, Stevens, Vanselow) Nays – 0

Supervisor Vanselow asked if the Town Board wished to reappoint Mrs. Kelly Nessel to a position on the Johnsbury Youth Committee.

#### RESOLUTION NO. 126

Ms. Nightingale presented the following resolution and moved its passage with a second from Mr. Stevens that the Town Board of the Town of Johnsbury reappoints Mrs. Kelly Nessel to the Town of Johnsbury Youth Committee for a term ending May 10, 2017 effective immediately upon receipt of a letter requesting reappointment from Mrs. Nessel. With 4 members voting in favor, the resolution is declared carried. Ayes-4 (Nightingale, Olesheski, Stevens, Vanselow) Nays – 0

Supervisor Vanselow asked that the Town Board set a date and time for a Public Hearing on redistricting the Johnsbury Fire Protection District due to the dissolution of the Wevertown Volunteer Fire Company. The North Creek Fire District Commissioners have approved a change to their southern boundary to extend it into the district served by the Wevertown Volunteer Fire Company and an increase to the Johnsbury Volunteer Fire Company district; Supervisor Vanselow said that the plan could be formalized and completed through the Public Hearing.

#### RESOLUTION NO. 127

Ms. Nightingale presented the following resolution, and moved its passage with a second from Mr. Stevens, to authorize the Town Clerk to advertise for one week and publish notice in the North Creek News-Enterprise for a Public Hearing on the redistricting of the fire company district boundary lines within the Johnsbury Fire Protection District; the redistricting results from the dissolution of the Wevertown Volunteer Fire Company, and further, said Public Hearing is to be held at the Wevertown Community Center, Wevertown, New York on Tuesday, June 5, 2012 at 7:00pm. With 4 members voting in favor, the resolution is declared carried. Ayes-4 (Nightingale, Olesheski, Stevens, Vanselow) Nays – 0

Mr. Olesheski asked if the North Creek Fire District Commissioners requested that they receive the \$10,000.00 which they had previously received for fire protection and that for the balance of this year the \$10,000.00 be prorated.

#### NEW BUSINESS:

Supervisor Vanselow explained that Buildings and Parks Superintendent Matt Olden's assistant is tied up two days per week operating the Transfer Station. In an attempt to provide Supt. Olden with additional help Supervisor Vanselow suggested that the Transfer Station be closed two days a week. Supervisor Vanselow said that many Towns do not have their Transfer Stations open seven days per week and that it may be a luxury which the Town cannot afford at this time. Supervisor Vanselow suggested that the Transfer station be open from Saturday through Wednesday after June 1, 2012. Mr. Stevens asked if Town Board action was needed, Supervisor Vanselow said that he would like the Town Board to pass a resolution authorizing this action. Mr. Stevens asked if this had been discussed with Supt. Olden or Mr. Victor Dunkley; Supervisor Vanselow said that it had been discussed with Supt. Olden and his assistant, Ernie Dunkley, who both approve, but not with Victor Dunkley at the Transfer Station. Mr. Stevens asked if Thursday and Friday were slower days or if all the days were equally busy; Supervisor Vanselow did not discuss how busy the days were.

#### RESOLUTION NO. 128

Mr. Stevens presented the following resolution, and moved its passage with a second from Mr. Olesheski, to authorize the closing of the Transfer Station facility on Thursday and Friday each week effective June 1, 2012 to provide Buildings and Parks Superintendent Matt Olden with more hours of work from his assistant, Ernie Dunkley, who has worked two days each week at the Transfer Station facility. With 4 members voting in favor, the resolution is declared carried. Ayes-4 (Nightingale, Olesheski, Stevens, Vanselow) Nays – 0

Supervisor Vanselow informed the Town Board that a problem has developed regarding the electrical entrance work performed by Panther Mt. Electric at the Transfer Station; there is a mix up between the contractor and National Grid which has resulted in problem in having the electricity connected. National Grid apparently approved the installation specifications presented by the contractor and now the lineman has said that the connection cannot be made as it is currently constructed. Secretary Cherie Ferguson has been in contact with National Grid and all suggested fixes will either cost the Town of Johnsbury additional money or the operator of the cable company will have an additional expense. Supervisor Vanselow said that while he does not want the construction at the Transfer Station held up due to the problem of no electrical power that he does not want the Town to bear an additional expense as a result of National Grid first approving the installation and later saying that it will not work. Supervisor Vanselow said that a meeting is tentatively scheduled for next week involving himself, National Grid representatives and the Town Engineer to try to work out a solution to this problem with the best deal for the Town. Mr. Stevens asked whose fault created the problem, if someone else made an error he does not want to have an expense to the Town as a result; Supervisor Vanselow replied that the fault was National Grid's. Mr. Olesheski said that one of the solutions has no cost to the Town; Sect. Ferguson said that transferring the cost to Hamilton County Cable TV was the reason that there

was no cost to the Town. Supervisor Vanselow said that the discussion of continuing to have Hamilton County Cable TV as the cable television provider is still going to happen and this is unfair to that company. Mr. Olesheski agreed with Mr. Stevens that the Town should not incur an expense as a result of someone else's mistake.

Supervisor Vanselow said that the next item on the agenda was the request from the Upper Hudson Musical Arts that the Town Board waive the ten per cent fee on the proceeds from their April 28, 2012 concert at Tannery Pond Community Center to benefit a musical scholarship for a local high school student; waiving the fee would allow the organization to use that money to increase the amount of the scholarship. Supervisor Vanselow asked if the Town Board wished to grant this request. Mr. Olesheski asked if the amount of the fee was known; Mr. Robert Nessel said that the amount would be about \$130.00. Supervisor Vanselow said that this was not an unusual request; Mr. Stevens agreed.

#### RESOLUTION NO. 129

Mr. Stevens presented the following resolution, and moved its passage with a second from Ms. Nightingale, that the Town Board will grant the request from the Upper Hudson Musical Arts and waive the ten percent fee for the concert held on April 28, 2012 concert at Tannery Pond Community Center to benefit a musical scholarship for a local high school student, with the provision that the waived fees will be added to the amount of the scholarship. With 4 members voting in favor, the resolution is declared carried. Ayes-4 (Nightingale, Olesheski, Stevens, Vanselow) Nays – 0

Supervisor Vanselow noted that the monthly report of the Zoning Enforcement Officer, Danae Tucker, for the month of April 2012, was not in the Town Board members' packets as she is ill and the report will be delivered at the next Town Board meeting.

Supervisor Vanselow noted that the monthly report of the Animal Control Officer, William Mosher, for the month of April 2012, was in the Town Board members' packets.

Supervisor Vanselow distributed the Supervisor's Monthly Report, for the month of April 2012, to the members of the Town of Johnsbury Town Board.

Supervisor Vanselow informed the Town Board that the 25 year old contract between the Town and ORDA allowing ORDA to use the reservoir for snow making at the Gore Mt. Ski Center will expire this year; he said that he has discussed this with Gore Mt. Ski Center Manager Mike Pratt and Cedarwood Engineering. Supervisor Vanselow suggested selling the reservoir to ORDA; he asked that the Town Board members think about this for a discussion at a later date.

#### RESOLUTION NO. 130

Mr. Stevens presented the following resolution and moved its passage with a second from Mr. Olesheski that the following certified bills which have been reviewed by the board members be

paid: General Fund- Claims #2012-338 and #2012-339 and #2012-343 through #2012-358 and #2012 through #2012-375 ; Highway Fund- Claims #2012-338 and #2012-339 and #2012-359 through #2012-365; North Creek Water Dist.- Claim#2012-339 and #2012-366 through #2012-370; Library Fund- Claim #2012-338; Trust and Agency Claims #2012-338 through #2012-342. With 4 members voting in favor, the resolution is declared carried. Ayes-4 (Nightingale, Olesheski, Stevens, Vanselow) Nays – 0

#### PRIVILEGE OF THE FLOOR

Secretary Cherie Ferguson informed the Town Board that due to Warren County technical difficulties the assessment information which was to be posted on the Town website today was not available to be uploaded until late afternoon and at that time an error message was received from the website provider, Mania Marketing, that the site was not currently available for uploading.

Mrs. Kelly Nessel thanked the Town Board for their action on the Ski Bowl Park grant. Mrs. Nessel informed the Town Board that there has been an overwhelming response to the Johnsbury Emergency Squad annual fund solicitation letter. Mrs. Nessel asked if the Town Board would allow a link to the Johnsbury Emergency Squad website to be placed on the Town website.

Mr. Steve Ovitt thanked the Town Board for its discussion of the multi-use trail proposal and its action on the Ski Bowl Park.

Mr. James Jones asked about the issue raised by Bakers Mills Sodom Fire Chief Lewis Hitchcock regarding the grade of the road in the proposed Ward Hill development. Supervisor Vanselow replied that he had spoken to Fire Chief Hitchcock and the Fire Chief had apologized for the statement as he has now been informed that the information which he received earlier from Warren County was incorrect. Mr. Olesheski said that this serves as a reminder to be careful of what you say.

Supervisor Vanselow asked that the Town Board now move into executive session to discuss a personnel negotiation issue. Supervisor Vanselow noted that no Town Board action was expected to follow the executive session.

Ms. Nightingale presented the following motion, with a second from Mr. Olesheski to enter into executive session for the purpose of discussing a personnel negotiation issue at 9:20pm. With 4 members voting in favor, the resolution is declared carried. Ayes-4 (Nightingale, Olesheski, Stevens, Vanselow) Nays – 0

Ms. Nightingale presented the following motion, with a second from Mr. Stevens to adjourn the executive session for the purpose of discussing a personnel negotiation issue; and further, to reenter the regular session at 9:32pm. With 4 members voting in favor, the resolution is declared carried. Ayes-4 (Nightingale, Olesheski, Stevens, Vanselow) Nays – 0

Supervisor Vanselow said that that no action would be taken at this time as a result of the executive session.

A motion to adjourn the meeting was presented by Ms. Nightingale with a second from Mr. Olesheski at 9:32pm. With 4 members voting in favor, the resolution is declared carried. Ayes-4 (Nightingale, Olesheski, Stevens, Vanselow) Nays – 0

The next regular Town Board meeting will be held at 7:00pm on Tuesday, May 15, 2012 at the Tannery Pond Community Center, North Creek, New York.

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Prepared by William Rawson, Town Clerk