

**Minutes of the Town of Johnsburg Organizational Meeting January 3, 2012  
Held at the Wevertown Community Center, Wevertown, NY**

Minutes of the regular meeting of the Town Board of the Town of Johnsburg held on Thursday January 3, 2012 at 7:00PM at the Wevertown Community Center, Wevertown, NY. Supervisor Ronald Vanselow called the meeting to order at 7:00PM and the pledge to the flag was led by Councilman Arnold Stevens.

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

Guests: On attached list

Supv. Vanselow announced that the oaths of office for the newly elected officials would be administered at this time; the Town Clerk administered the oaths of office to the following present, recently elected officers: Supervisor Ronald Vanselow; Councilmen Eugene Arsenault and Peter Olesheski, Jr.; Town Clerk William E. Rawson.

**RESOLUTION NO. 1**

Mr. Stevens presented the following resolution and moved its passage with a second from Mr. Arsenault to accept the minutes of the December 20, 2011 regular Town Board Meeting as written. With 4 members voting in favor the resolution is declared carried. Ayes-4 (Arsenault, Olesheski, Stevens, Vanselow) Nays - 0

**CORRESPONDENCE:**

1. A letter from Town of Johnsburg Superintendent of Highways Daniel Hitchcock informing the Town Board that he was appointing Donald Moore as his Deputy Superintendent of Highways.
2. A letter for Town of Johnsburg Town Clerk William Rawson informing the Town Board that he was appointing Jo Ann Smith as his Deputy Town Clerk.
3. A letter from Zoning Enforcement Officer Danae Tucker requesting permission to work Wednesday, January 24 and to go to a Saratoga Planning & Zoning conference on January 25 at a cost of \$70.00 and \$10.00 parking and mileage.
4. A letter from Mark J. Kennedy, Regional Traffic Engineer, for NYS Department of Transportation (DOT) announcing the results of their investigation of the speed limit request submitted by the Town of Johnsburg for State Route 8 west from the hamlet of Wevertown to the hamlet of Johnsburg; the DOT has determined that a reduction in speed is not warranted although signage to identify curves and to suggest a speed advisory would be useful.
5. A letter from Ms. Kate Nightingale informing the Town Board of her interest in being appointed to the Town Board to fill the vacancy created by the election of Mr. Vanselow as Town Supervisor.
6. A letter from Mr. Roger Mosher expressing interest in being appointed to the Town Board to fill the vacancy created by the election of Mr. Vanselow as Town Supervisor.

7. A letter from Mr. Ronald Vanselow resigning his position as Councilman for the Town of Johnsbury in order to assume his duties as Town Supervisor.
8. A letter Mr. Peter Olesheski resigning his position as Chairman of the Ski Bowl Park Advisory Committee in order to assume his duties as Councilman for the Town of Johnsbury.
9. A letter from Town of Johnsbury Health Officer Dr. John Ruge reporting on a property on which the Town Board acting as the Board of Health had asked for a review.
10. A letter from Mr. Dexter J. Baker, Animal control Officer for the Town of Thurman, expressing interest in the position of Animal Control Officer for the Town of Johnsbury.
11. A letter from the Warren County Youth Bureau notifying the Town Board of the expiration of the term of Mr. Phillip Goodman, the Town of Johnsbury representative on the Warren County Youth Board, and asking the Town Board to either reappoint Mr. Goodman or appoint another representative in his place.
12. Two Agreements to Expend Highway Funds from Town of Johnsbury Superintendent of Highways Daniel Hitchcock to the Town Board regarding resurfacing of Hudson Street, the construction of wing walls to the bridge over Johnson Creek on Harrington Road and the repair of numerous culverts in Town Roads.

Supv. Vanselow explained that this is the organizational meeting for the year of 2012 and that there were several annual resolutions and appointments which would be done at this time.

Supv. Vanselow made the following appointments for 2012:

- |                                   |                            |
|-----------------------------------|----------------------------|
| 1. Budget Officer:                | Supervisor Ronald Vanselow |
| 2. Deputy Supervisor:             | Eugene Arsenault           |
| 3. Secretary to the Supervisor:   | Cherie Ferguson            |
| 4. Town Historian:                | Jo Ann Smith               |
| 5. Registrar of Vital Statistics: | William Rawson             |
| 6. Petty Cash Officer             | Sheraldine Williams        |

#### RESOLUTION NO. 2

Mr. Stevens presented the following resolution and moved its passage with a second from Mr. Arsenault that the Town of Johnsbury Zoning Enforcement Officer will be Danae Tucker for the year of 2012. With 4 members voting in favor the resolution is declared carried. Ayes-4 (Arsenault, Olesheski, Stevens, Vanselow) Nays - 0

Supv. Vanselow suggested that the Town Board reappoint William Mosher as Animal Control Officer. Mr. Olesheski said that the Town Board should be sure that Mr. Mosher is still interested in the position; he added that he was not opposed to appointing Mr. Mosher, if Mr. Mosher is interested. Supv. Vanselow said that the motion should be followed through to a vote.

#### RESOLUTION NO. 3

Mr. Arsenault presented the following resolution and moved its passage with a second from Mr. Stevens that the Town of Johnsbury Animal Control Officer will be William

Mosher for the year of 2012. With 2 members voting in favor and 2 opposed the resolution is declared failed. Ayes-2 (Arsenault, Stevens) Nays - 2 (Olesheski, Vanselow)

Mr. Olesheski presented the following resolution and moved its passage with a second from Supv. Vanselow that the Town of Johnsbury request more information, a letter of intent, from Mr. William Mosher as to his interest in being reappointed to the position of Animal Control Officer. (This motion was withdrawn by Mr. Olesheski)

Supv. Vanselow explained that he seconded the motion for discussion purposes only. Mr. Robert Nettle asked why the Town Board did not table the issue until the next meeting and request further information and have Mr. Mosher continue through that period. Supv. Vanselow was not sure of the continuation of the office into 2012. Mrs. Catherine Allen asked what happened to the pay; Secretary Cherie Ferguson replied that it was a monthly pay basis. Mr. Arsenault said that Mr. Mosher had probably not sent in a letter as one had not been requested previously. Mr. Olesheski withdrew his motion in favor of the following.

#### RESOLUTION NO. 4

Mr. Olesheski presented the following resolution and moved its passage with a second from Supv. Vanselow that the Town of Johnsbury will table the discussion of the appointment of the Animal Control Officer for 2012 until the next Town Board meeting, January 17, 2012; and that Supv. Vanselow will ascertain the interest of Mr. William Mosher in being reappointed to the position. With 4 members voting in favor the resolution is declared carried. Ayes-4 (Arsenault, Olesheski, Stevens, Vanselow) Nays - 0

Supv. Vanselow requested that the Town Board reappoint J. Anthony Jordan as the Town Attorney with the option to ask another attorney for quick answers to specific questions; he added that he has spoken with another attorney and this seems to be a valid method of dealing with legal issues. Mr. Arsenault asked if the Town Board needs to name the other attorneys; Supv. Vanselow replied not at this time. Mr. Stevens asked if there were any prices; Supv. Vanselow replied not at this time. Mr. Arsenault asked if the attorney would need to be named in the future; Supv. Vanselow said that they would be named on an as needed basis. Mr. David Bulmer asked how the process of having two attorneys with a separate attorney for the Planning Board is working. Supv. Vanselow said that the Planning Board attorney is their own. Mrs. Catherine Allen, the chairman of the Zoning Board of Appeals, noted that at the recent meeting of that board that the applicant had threatened to commence legal action against the decision of the Zoning Board of Appeals and asked if the Zoning Board of Appeals could have Miller, Mannix, Schachner & Hafner represent them. Supv. Vanselow said that the discussion should occur if the applicant proceeds with an action.

#### RESOLUTION NO. 5

Mr. Stevens presented the following resolution and moved its passage with a second from Mr. Arsenault that the Town of Johnsbury Attorney for the Town of Johnsbury will be J. Anthony Jordan for the year of 2012; with the option to ask another attorney for quick answers to specific legal questions. With 4 members voting in favor the resolution is declared carried. Ayes-4 (Arsenault, Olesheski, Stevens, Vanselow) Nays - 0

Supv. Vanselow informed the Town Board that the Planning Board wished to have the Town Board to reappoint Miller, Mannix, Schachner & Hafner as their attorney.

#### RESOLUTION NO. 6

Mr. Arsenault presented the following resolution and moved its passage with a second from Mr. Olesheski that the Attorney for the Town of Johnsburg Planning Board will be Miller, Mannix, Schachner & Hafner for the year of 2012. With 4 members voting in favor the resolution is declared carried. Ayes-4 (Arsenault, Olesheski, Stevens, Vanselow) Nays - 0

Supv. Vanselow explained that the Town Clerk may appoint the 1<sup>st</sup> Deputy Town Clerk; Town Clerk William Rawson notified the Town Board in writing that he appoints Jo Ann Smith as 1<sup>st</sup> Deputy Town Clerk for the year of 2012 and also verbally informed the Town Board that as Registrar he appoints Jo Ann Smith as Deputy Registrar for 2012 through December 31, 2013.

Supv. Goodspeed noted that Superintendent of Highways Daniel Hitchcock has notified the Town Board by letter of appointing Donald Moore as Town of Johnsburg Deputy Superintendent of Highways for 2012.

#### RESOLUTION NO. 7

Mr. Stevens presented the following resolution and moved its passage with a second from Mr. Olesheski to designate the following handicapped accessible polling place in the Town of Johnsburg for the year of 2012:

District # 1: Wevertown Community Center, Wevertown, NY

District # 2: Wevertown Community Center, Wevertown, NY

District # 3: Wevertown Community Center, Wevertown, NY

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

#### RESOLUTION NO. 8

Mr. Arsenault presented the following resolution and moved its passage with a second from Mr. Stevens to designate the North Creek News-Enterprise as the official newspaper for the Town of Johnsburg for the year of 2012. With 4 members voting in favor the resolution is declared carried. Ayes-4 (Arsenault, Olesheski, Stevens, Vanselow) Nays - 0

#### RESOLUTION NO. 9

Mr. Stevens presented the following resolution and moved its passage with a second from Mr. Olesheski to designate the following banks as official depositories for the Town of Johnsburg for the year of 2012:

Community Bank, N.A., North Creek, NY

T.D. Bank North, Warrensburg, NY

Glens Falls National Bank, Warrensburg, NY

With 3 members voting in favor the resolution is declared carried. Ayes-3 (Olesheski, Stevens, Vanselow) Nays - 0 Abstained -1 (Arsenault)

Mr. Olesheski asked why three banks; Secretary Cherie Ferguson explained that one is the main depository, another is for the health savings accounts and the third allows flexibility if there are better rates available.

#### RESOLUTION NO. 10

Mr. Arsenault presented the following resolution and moved its passage with a second from Mr. Olesheski to adopt the salaries of elected and appointed officials as per the final adopted budget for 2012. With 4 members voting in favor the resolution is declared carried. Ayes-4 (Arsenault, Olesheski, Stevens, Vanselow) Nays - 0

Mr. Olesheski asked the total amount of mileage reimbursement; Supv. Vanselow said that he was not sure, but that it was not in the tens of thousands of dollars.

#### RESOLUTION NO. 11

Mr. Stevens presented the following resolution and moved its passage with a second from Mr. Arsenault to set the compensation for mileage for Town Business at 50 cents per mile for the year of 2012. With 4 members voting in favor the resolution is declared carried. Ayes-4 (Arsenault, Olesheski, Stevens, Vanselow) Nays - 0

#### RESOLUTION NO. 12

Mr. Arsenault presented the following resolution and moved its passage with a second from Mr. Stevens to adopt the Town Officers Bond for the year of 2012. With 4 members voting in favor the resolution is declared carried. Ayes-4 (Arsenault, Olesheski, Stevens, Vanselow) Nays - 0

#### RESOLUTION NO. 13

Mr. Stevens presented the following resolution and moved its passage with a second from Mr. Arsenault to authorize the payment in advance of audit of claim for Public Utility Services and Postage for the year of 2012. With 4 members voting in favor the resolution is declared carried. Ayes-4 (Arsenault, Olesheski, Stevens, Vanselow) Nays - 0

#### RESOLUTION NO. 14

Mr. Arsenault presented the following resolution and moved its passage with a second from Mr. Olesheski to authorize the Supervisor to extend the unexpended balances in their respective accounts for the purpose of encumbering monies during the year of 2012. With 4 members voting in favor the resolution is declared carried. Ayes-4 (Arsenault, Olesheski, Stevens, Vanselow) Nays - 0

#### RESOLUTION NO. 15

Mr. Arsenault presented the following resolution and moved its passage with a second from Mr. Stevens to authorize Town Officers to purchase necessary supplies to carry on official duties, in amounts not to exceed the budget during the year of 2012. With 4 members voting in favor the resolution is declared carried. Ayes-4 (Arsenault, Olesheski, Stevens, Vanselow) Nays - 0

The amount of the dues of the Association of Towns and the Adirondack Association of Towns and Villages and the worth of joining was asked; Supv. Vanselow said that membership in these organizations seemed to have benefits. Mr. Arsenault asked that the issue be tabled until the next meeting to get the amounts.

Mr. Stevens presented the following resolution and moved its passage with a second from Mr. Arsenault to authorize the Supervisor to pay the annual dues of the N.Y.S. Association of Towns and the Adirondack Association of Towns and Villages, when due during the year of 2012. (This motion was withdrawn by Mr. Stevens)

RESOLUTION NO. 16

Mr. Stevens presented the following resolution and moved its passage with a second from Mr. Arsenault to table discussion of the authorization the Supervisor to pay the annual dues of the N.Y.S. Association of Towns and the Adirondack Association of Towns and Villages, when due during the year of 2012 until the next Town Board of meeting on January 17, 2012 and to obtain the amounts of the dues of these associations. With 4 members voting in favor the resolution is declared carried. Ayes-4 (Arsenault, Olesheski, Stevens, Vanselow) Nays - 0

RESOLUTION NO. 17

Mr. Arsenault presented the following resolution and moved its passage with a second from Mr. Olesheski to authorize the Town Clerk to publish, in two issues, a summary of the 2011 Annual Report of the Supervisor of the Town of Johnsburg. With 4 members voting in favor the resolution is declared carried. Ayes-4 (Arsenault, Olesheski, Stevens, Vanselow) Nays - 0

RESOLUTION NO. 18

Mr. Arsenault presented the following resolution and moved its passage with a second from Mr. Stevens to authorize the placing of Town monies in interest bearing accounts when this can be done without interfering with the operation of Town government. With 4 members voting in favor the resolution is declared carried. Ayes-4 (Arsenault, Olesheski, Stevens, Vanselow) Nays - 0

RESOLUTION NO. 19

Mr. Stevens presented the following resolution and moved its passage with a second from Mr. Olesheski to schedule as follows two regular Town Board meetings per month in 2012 with the proviso that the site and time be included in the tentative agenda:

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**TOWN OF JOHNSBURG**  
**2012 TOWN BOARD MEETINGS**

**(first and third Tuesday of the month at 7 p.m. unless noted)**

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January 3 – Wevertown Community Center  
January 17 – Wevertown Community Center

February 7 – Wevertown Community Center  
February 21 – Tannery Pond Community Center

March 6 – Wevertown Community Center  
March 22 – **\*\*THURSDAY\*\*** - North River Fire House

April 3 – Wevertown Community Center  
April 17 – Scout Hall

May 1 – Wevertown Community Center  
May 15 – Tannery Pond Community Center

June 5 – Wevertown Community Center  
June 19 – Tannery Pond Community Center

July 3 – Wevertown Community Center  
July 17 – Ski Bowl Lodge

August 7 – Wevertown Community Center  
August 21 – Tannery Pond Community Center

September 4 - Wevertown Community Center  
September 18 – Garnet Lake Fire House

October 2 – Wevertown Community Center  
October 16 – Scout Hall

November 8 – **\*\*THURSDAY\*\*** Wevertown Community Center  
November 20 – Tannery Pond Community Center

December 4 – Wevertown Community Center  
December 18 – Tannery Pond Community Center

***LOCATIONS:** Wevertown Community Center, 2370 State Route 28, Wevertown \* Tannery Pond Community Center, 228 Main Street, North Creek \* North River Fire House, 226 Thirteenth Lake Road, North River \* Garnet Lake Fire House, 1811 Garnet Lake Road North, Johnsburg \* Ski Bowl Lodge, 39 Ski Bowl Road, North Creek \* Scout Hall, 4 Peaceful Valley Road, North Creek*

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

#### RESOLUTION NO. 20

Mr. Arsenault presented the following resolution and moved its passage with a second from Mr. Olesheski to adopt the following Town Board Standing Committees for 2012:

### **2012 STANDING COMMITTEE JOHNSBURG TOWN BOARD**

<u>COMMITTEE</u>	<u>MEMBERS</u>
Highway	Ron Vanselow* Pete Olesheski
Solid Waste Management	Gene Arsenault Arnold Stevens
Fire	Board
Planning & Zoning	Gene Arsenault Ron Vanselow
Buildings, Parks & Recreation	Arnold Stevens Pete Olesheski
Cemeteries	Arnold Stevens Gene Arsenault
Cable TV	Gene Arsenault Arnold Stevens
Personnel	Ron Vanselow Pete Olesheski

\*fill in

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

(Mr. Arsenault was absent from 7:45pm to 7:48pm; Supv. Vanselow held the vote on Resolution Number 20 until he returned)

Supv. Vanselow noted that as the organizational portion of the meeting was complete that the Town Board would deal with the correspondence at this time.

Supv. Vanselow asked if the Town Board members wished to approve the Agreements to Spend Highway Funds (284) presented by Superintendent of Highways Daniel Hitchcock Superintendent of Highways Daniel Hitchcock regarding resurfacing of Hudson Street, the construction of wing walls to the bridge over Johnson Creek on Harrington Road and the repair of numerous culverts in Town Roads. Mr. Arsenault questioned the amount of funding which Highway Supt. Hitchcock planned to use on the road work and



asked that Supv. Vanselow contact Highway Supt. Hitchcock to double check the numbers. Supv. Vanselow said that he would check with Supt. Hitchcock on the numbers.

#### RESOLUTION NO. 21

Mr. Stevens presented the following resolution, and moved its passage with a second from Mr. Arsenault, to approve of the Agreements to Spend Highway Funds (284) submitted by Highway Superintendent Daniel Hitchcock for the purpose of resurfacing of Hudson Street, the construction of wing walls to the bridge over Johnson Creek on Harrington Road and the repair of numerous culverts in Town Roads with the condition that the Supervisor will check with Highway Superintendent Daniel Hitchcock on the financial numbers. With 4 members voting in favor the resolution is declared carried. Ayes-4 (Arsenault, Olesheski, Stevens, Vanselow) Nays - 0

Mr. Arsenault asked if there was any chance to appeal the determination of the NYS Department of Transportation on the speed limit on State Route 8 west of Wevertown; Supv. Vanselow said that he would look into the process.

Supv. Vanselow asked if the Town Board wished to accept Mr. Olesheski's letter of resignation from his position as Chairman of the Ski Bowl Park Advisory Committee in order to assume his duties as Councilman for the Town of Johnsbury.

#### RESOLUTION NO. 22

Mr. Arsenault presented the following resolution and moved its passage with a second from Mr. Stevens to accept, effective immediately, the letter of resignation from Mr. Peter Olesheski as Chairman of the Ski Bowl Park Advisory Committee in order to assume his duties as Councilman for the Town of Johnsbury. With 3 members voting in favor the resolution is declared carried. Ayes-3 (Arsenault, Stevens, Vanselow) Nays - 0 Abstained -1 (Olesheski)

Supv. Vanselow asked if the Town Board wished to accept Mr. Ronald Vanselow letter of resignation from his position as Councilman for the Town of Johnsbury in order to assume his duties as Supervisor for the Town of Johnsbury.

#### RESOLUTION NO. 23

Mr. Arsenault presented the following resolution and moved its passage with a second from Mr. Olesheski to accept, effective as of December 31, 2011, the letter of resignation from Mr. Ronald Vanselow as Councilman for the Town of Johnsbury in order to assume his duties as Supervisor for the Town of Johnsbury. With 4 members voting in favor the resolution is declared carried. Ayes-4 (Arsenault, Olesheski, Stevens, Vanselow) Nays - 0

Supv. Vanselow said that the subject of the letter from Town of Johnsbury Health Officer Dr. John Rugge had been visited by Dr. Rugge and the property has been the subject of a variance for the Zoning Board of Appeals; he added that the requested variance was denied by the Zoning Board of Appeals. Supv. Vanselow said that Dr. Rugge suggests following zoning regulations to pursue a remedy for the conditions on the property.

Supv. Vanselow asked if the Town Board wished to reappoint Mr. Phillip Goodman as the Town of Johnsburg representative on the Warren County Youth Board.

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 reappoints Mr. Phillip Goodman to the position of Town of Johnsburg representative on the Warren County Youth Board. (This motion was withdrawn by Mr. Arsenault)

Mr. Robert Nettle asked that the Town Board request the input from the Youth Committee. Supv. Vanselow asked if this was a procedural or a personal issue. Mr. Stevens asked if the Youth Committee has known of the appointment; if they have known they could have communicated with the Town Board. Mr. Arsenault withdrew the motion for the next meeting.

#### OLD BUSINESS

Supv. Vanselow informed the Town Board that Front Street had requested release of some of their bond money. Supv. Vanselow said that on the advice of Town Attorney Jordan and Delaware (Cedarwood) Engineering that the \$20,000.00 bond for the Hold and haul tanks could be released as the 1<sup>st</sup> Phase is now connected to the new wastewater system; Supv. Vanselow asked if the Town Board wished to authorize the release of the \$20,000.00 in bond money. Mr. Arsenault asked if the use of the hold and haul is now ended; Supv. Vanselow said that the units have been connected to the wastewater system.

#### RESOLUTION NO. 24

Mr. Stevens presented the following resolution and moved its passage with a second from Mr. Arsenault to authorize with the advice of the Town Attorney and Delaware (Cedarwood) Engineering, the Town Engineers the release of \$20,000.00 in bond funds which had been received from Front Street Mountain Development to secure the hold and haul tank system for the 1<sup>st</sup> Phase Residential. With 4 members voting in favor the resolution is declared carried. Ayes-4 (Arsenault, Olesheski, Stevens, Vanselow) Nays – 0

Supv. Vanselow informed the Town Board that Mr. David Crikelair of Front Street Mountain Development has been trying to get a certificate of occupancy and to get further bonding released; there are discrepancies between the Front street Mountain Development version of the state of the project and that of the Town Attorney and Town Engineer.

#### COMMITTEE REPORTS:

#### NEW BUSINESS

Supv. Vanselow requested that the Town Board authorize the use of a copy of the Supervisor's Annual Report to the Comptroller in lieu of accounting as had been done in previous years.

#### RESOLUTION NO. 25

Mr. Stevens presented the following resolution and moved its passage with a second from Mr. Arsenault to authorize the use of a copy of the Supervisor's Annual Report to the New York State Comptroller in lieu of accounting for the year of 2012. With 4 members

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

Supv. Vanselow noted that the monthly report of the Animal Control Officer William Mosher for the month of December 2011, was in the Town Board members' packets.

Supv. Vanselow noted that the Supervisor's Monthly Report, for the month of December 2011 was in the Town Board members' packets.

Supv. Vanselow informed the Town Board that there was approximately \$18,000.00 in Occupancy Tax funding for dispensing under the regular rules of the Occupancy Tax Committee; he added that there were approximately twelve applications and if the top ten scoring applications were funded at fifty percent it would fund the majority of the applications. Supv. Vanselow said that the shuttle funding and the funding for the fireworks, snow removal, chamber of commerce and beautification have limited the amount of monies available. Mr. Olesheski asked the time frame for the set asides and added that nothing should be set in stone. Mr. Stevens replied that the set asides were discussed annually at budget time. Mr. Olesheski asked if the Town Board knew if the projects will be surviving at fifty percent funding; Supv. Vanselow replied that that discussion will take place following the notification of award. Mr. Olesheski said that possibly the Town Board should review and score the requests. Supv. Vanselow said that he was in favor of a more open process. Mr. Olesheski said that he was not in favor of moving forward without knowing the result of the fifty percent award. Mr. David Bulmer said that the Chamber of Commerce will withdraw its map request of approximately \$3300.00 and Ms. Katherine Nightingale said that the Hudson River White Water Derby will withdraw its request. Mr. Arsenault asked if a decision was time sensitive; he would agree to tabling the decision to the next meeting. Supv. Vanselow replied that some groups seem to be looking to the award to make plans; Mr. Stevens said that he wanted to stay with the motion. Ms. Nightingale said that the Music by the River series would continue at a fifty percent award. Supv. Vanselow said that most applications are heavier than they need to be. Mr. Olesheski said that he appreciates the work of the committee; he asked to see a list of organizations, projects and awards. Mr. David Bulmer asked that the Town Board rebuild the Occupancy Tax Committee and end the set asides by using the Town Budget for those items and also develop a faster reimbursement.

#### RESOLUTION NO. 26

Mr. Stevens presented the following resolution and moved its passage with a second from Mr. Arsenault to fund the top ten scoring Occupancy Tax funding requests at fifty percent of the request for 2012. With 3 members voting in favor the resolution is declared carried. Ayes-3 (Arsenault, Stevens, Vanselow) Nays -1 (Olesheski)

Supv. Vanselow explained that in addition to Zoning Enforcement Officer Danae Tucker that Planning Board member Supv. Vanselow Janet Konis wants to attend the Saratoga Planning & Zoning conference on January 25; he added that he would like to allow any Planning Board or Zoning Board of Appeals member to attend the conference. Mr. Olesheski said that this would be a potential of \$800.00 plus mileage. Supv. Vanselow said that he would like to have the planners be able to avail themselves of this

educational opportunity; he asked if the Town Board would authorize funding for the members of the Planning Board and the Zoning Board of Appeals as well as the Zoning Enforcement Officer to attend the Saratoga Planning & Zoning conference on January 25, 2012 at a cost of \$70.00 and \$10.00 parking and mileage.

#### RESOLUTION NO. 27

Mr. Stevens presented the following resolution and moved its passage with a second from Mr. Arsenault to allow funding for all members of the Planning Board and the Zoning Board of Appeals as well as the Zoning Enforcement Officer to attend the Saratoga Planning & Zoning conference on January 25, 2012 at a cost of \$70.00 and \$10.00 parking and mileage. With 4 members voting in favor the resolution is declared carried. Ayes-4 (Arsenault, Olesheski, Stevens, Vanselow) Nays – 0

Supv. Vanselow noted that the Town Board has received two letters of interest in the vacant seat on the Town Board; he added that he has spoken to Town Attorney Jordan about the possible ways for the vacancy to be handled. The vacancy can be filled or left vacant; if the seat is left vacant the governor could order a special election to fill the vacancy. Mr. Olesheski asked the cost of a special election; Supv. Vanselow said that it would not be cheap. Mr. Olesheski said that some consideration should be given to those who ran in the previous election; he added that Mr. Robert Nettle was the highest vote receiver of the non-elected candidates. Mr. Nettle said that he was not interested in being appointed; he added that he was supportive of Ms. Katharine Nightingale. Mr. Stevens addressed the letter from Mr. Roger Mosher. Mr. Stevens said that a onetime occurrence does not make a tradition and added that the appointment of Mr. Vanselow to the Town Board had nothing to do with his vote total; it was based on his abilities. Mr. Arsenault said that he understood Mr. Olesheski's point, but he sees the primary as a tie and is supportive of Mr. Frank Morehouse as a Town Board member. Mr. David Bulmer asked if Mr. Morehouse has indicated a willingness to be appointed; Mr. Arsenault said that he had no idea. Mr. Olesheski said that this would be a step backward; he believed that the voters spoke to a change. Mr. Olesheski said that his position was not personal, but he did not believe that the appointment of Mr. Morehouse was in the best interest of the Town. Mrs. Catherine Allen said that the hamlets of Bakers mills, North River and Riparius seem to be left out in representation on the Town Board; she indicated support for Ms. Katharine Nightingale as a woman and a representative from another area in the Town. Mr. Bulmer said that others should be included in the discussion. Supv. Vanselow said that this discussion is the process. Mr. Bulmer said that the first person to be discussed has an advantage; Mr. Olesheski said that this was valid, but it is at the Town Board discretion and noted that the first person to be discussed was Mr. Robert Nettle. Mr. Olesheski said that he was not sure that the process is the best; but it is the process.

#### RESOLUTION NO. 28

Mr. Arsenault presented the following resolution and moved its passage with a second from Mr. Stevens to appoint Mr. Frank Morehouse to fill the vacant Councilman position on the Town Board through December 31, 2012. With 2 members voting in favor and 2 opposed the resolution is declared failed. Ayes-2 (Arsenault, Stevens) Nays - 2 (Olesheski, Vanselow)

Mr. Olesheski said that Ms. Katharine Nightingale would represent a different geographical area and noted that she has volunteered her time to many projects and she is a woman; he said that he would be comfortable serving with her. Ms. Katharine Nightingale said that she was interested in the position and was willing to answer questions. Mr. Arsenault said that he was pleased that she was interested in joining the Town Board and that he hoped her interest would continue no matter the outcome. Mr. Olesheski said that he would prefer to see one of the candidates from the previous election. Mr. Olesheski asked if Ms. Nightingale would run in the next general election and why she hadn't run in the previous election. Ms. Nightingale said that she was not one hundred percent sure of running in the next election and that she had been asked to run for the supervisor position. Ms. Nightingale said that she did not feel that she was qualified for that position, but she does feel qualified for this position. Mr. Arsenault asked why she would hesitate; Ms. Nightingale replied that she would need some time to think about it. Supv. Vanselow said that he was supportive of Ms. Nightingale; he believes that her volunteering and background are both good. Ms. Kate Hartley was supportive of Ms. Nightingale. Mr. Stevens said that the vote could be tied again; he said that his first choice was Mr. Frank Morehouse and that he believed that he had done a good job. Mr. Stevens said that he believed that the Town Board should have a full complement and added that he was supportive of Ms. Nightingale. Mr. Stevens asked that the Town Board vote on the issue.

#### RESOLUTION NO. 29

Mr. Olesheski presented the following resolution and moved its passage with a second from Supv. Vanselow to appoint Ms. Katharine Nightingale to fill the vacant position of Councilman for the Town of Johnsbury through December 31, 2012, to be effective immediately. With 4 members voting in favor the resolution is declared carried. Ayes-4 (Arsenault, Olesheski, Stevens, Vanselow) Nays – 0

(Ms. Katharine Nightingale joined the Town Board.)

Supv. Vanselow asked that the Town Board authorize him to sign an intermunicipal solid waste agreement with Warren County. Secretary Cherie Ferguson explained that the Town Board had passed resolutions to be included in the Warren County solid waste bids, but had not as yet specifically authorized the supervisor to enter into a disposal agreement.

#### RESOLUTION NO. 30

Mr. Stevens presented the following resolution and moved its passage with a second from Ms. Nightingale to authorize the supervisor to execute an intermunicipal solid waste disposal agreement with Warren County. With 5 members voting in favor the resolution is declared carried. Ayes-5 (Arsenault, Nightingale, Olesheski, Stevens, Vanselow) Nays – 0

Supv. Vanselow read a proclamation of thanks and gratitude to Sterling T. Goodspeed for his public service to the Town of Johnsbury; he asked that the Town Board authorize the proclamation be put into a suitable presentation form by the Town Clerk in thanks to Supervisor Sterling T. Goodspeed.

#### RESOLUTION NO. 31

The entire Town Board presented and seconded the following resolution and moved its passage:

#### Proclamation

WHEREAS, Sterling T. Goodspeed has dutifully served the Town of Johnsburg as Johnsburg Town Supervisor for these past 4 years having been first elected to office for a term commencing January 1, 2008, and

WHEREAS, prior to Sterling T. Goodspeed's service as Johnsburg Supervisor, served in other public capacities on behalf of the Town of Johnsburg, particularly as Town Councilman, and,

WHEREAS, in Sterling T. Goodspeed's long career of public service has shown his dedication and commitment to all the residents of the Town of Johnsburg and the County of Warren, and

WHEREAS, Sterling T. Goodspeed's tenure as town Supervisor has been marked in the Town of Johnsburg as a period of significant challenges with issues that have included growth and development of the community and retention of natural resources,

BE IT FURTHER RESOLVED, that the undersigned members of the Town of Johnsburg Town Board further acknowledge the 6 years of dedicated service that Sterling T.

Goodspeed has given to the town during this time period, and,

FURTHER BE IT RESOLVED, that, the undersigned members of the Johnsburg Town Board acknowledge that at all times, Sterling T. Goodspeed has conducted himself in a spirit of openness, cooperation, and good will while confronting issues of great complexity and controversy, and,

BE IT THEREFORE RESOLVED, that on behalf of all the residents of the Town of Johnsburg, the undersigned members of the Johnsburg Town Board wish to express their thanks and gratitude to Sterling T. Goodspeed for his dedication to public service.

And further, the Town Clerk is authorized to put the proclamation in a suitable presentation form for the next Town Board meeting. With 5 members voting in favor the resolution is declared carried. Ayes-5 (Arsenault, Nightingale, Olesheski, Stevens, Vanselow) Nays – 0

#### PRIVILEGE OF THE FLOOR

Mr. Robert Nettle wanted the Town Board to notice the arrival of the ski train and its continued running. Supv. Vanselow said that he had been there to greet the train. Mr. James Jones said that the negative is the parking of the train at the depot for periods of time with the diesel exhaust creating a problem; Supv. Vanselow added that he had directed a complaint of that nature to the train representatives earlier that day.

Mrs. Catherine Allen recommended that Mr. Olesheski and Ms. Nightingale attend the Association of Towns conference in February in New York City, if possible; she noted that it was a very informative conference.

Mr. Vito LaPenna asked for an update on cell service in the North Creek area; Supv. Vanselow said that he hopes that the North creek cell tower will be operating soon. Mr. David Bulmer said that he is expecting Verizon as well as AT&T service.

Mr. Olesheski suggested the reworking the standing committees with the addition of

Ms. Nightingale to the Town Board; Supv. Vanselow said that he plans to update the committee listing at the next Town Board meeting.

Mr. Robert Nettle said that the Occupancy Tax Committee was burdensome, but performed an important task; he suggested that the Town Board use \$1500.00 from the funds to hire a manager for the Occupancy Tax funds. Supv. Vanselow said that he was willing to consider any reasonable suggestion. Mr. Olesheski said that he was not sure that that the Occupancy Tax funds can be used that way; he would like to see the Town Board get more involved in the process. Mr. Nettle said that a consultant would get the information to the Town Board. Mr. David Bulmer said that he thinks that the Occupancy Tax Committee needs to be outside the Town Board; he added that the Committee members have tried to be equitable.

#### RESOLUTION NO. 32

Mr. Olesheski presented the following resolution and moved its passage with a second from Ms. Nightingale that the following certified bills which have been reviewed by the board members be paid: General Fund- Warrant #1G/Claims #1-10; Highway Fund- Warrant #1H/Claims #1-14. With 5 members voting in favor the resolution is declared carried. Ayes-5 (Arsenault, Nightingale, Olesheski, Stevens, Vanselow) Nays – 0

A motion to adjourn the meeting was presented by Mr. Arsenault with a second from Mr. Stevens at 8:55pm. With 5 members voting in favor the resolution is declared carried. Ayes-5 (Arsenault, Nightingale, Olesheski, Stevens, Vanselow) Nays - 0

The meeting was closed at 8:55pm.

The next regular Town Board meeting will be held at 7:00pm on January 17, 2012 at the Wevertown Community Center, Wevertown, NY.

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Prepared by William Rawson, Town Clerk