

**Minutes of the Town of Johnsbury Regular Board Meeting March 15, 2011  
Held at 7:00pm at the Ski Bowl Lodge (in Ski Bowl Park), 39 Ski Bowl Road, North Creek,  
New York**

Minutes of the regular meeting of the Town Board of the Town of Johnsbury held on Tuesday March 15, 2011 at 7:00pm at the Ski Bowl Lodge (in Ski Bowl Park), 39 Ski Bowl Road, North Creek, New York. Supervisor Goodspeed called the meeting to order at 7:04pm and the pledge to the flag was led by Councilman Arnold Stevens.

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

Guests: On attached list

**RESOLUTION NO. 56**

Mr. Morehouse presented the following resolution, and moved its passage with a second from Mr. Arsenault, to accept the minutes of the March 1, 2011 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:**

1. A letter from Ms. Candace Lomax stating her interest in being considered for the vacancy on the Board of Assessment Review.
2. A letter from the Johnsbury Historical Society requesting that the Town Board allow that organization the use of either the Ski Bowl Park or the Kellogg Property on the weekend of September 9, through 11, 2011 for a Civil War re-enactor weekend..
3. A letter from Ms. Colleen Gerwitz, New York State Energy Research and Development Authority (NYSERDA) informing municipalities of the availability of "better buildings sub-grants" to small municipalities.

**COMMITTEE REPORTS:**

**OLD BUSINESS:**

Supv. Goodspeed the Town Board that he was placing an extended discussion of the Town beach on the agenda for the April 5, 2011 Town Board meeting and that he was planning to limit the agenda to emergency or essential items in addition to the beach discussion.

Supv. Goodspeed informed the Town Board that following discussions at the Warren County level on how best to expend the forty three thousand dollar Occupancy Tax funding surplus it has been decided that the Gore shuttle will receive an additional four thousand dollar Occupancy Tax award from Warren County.

Supv. Goodspeed gave a brief update on the contract negotiations between Warren County and the train operators. Supv. Goodspeed said that there has been a telephone conference and he believes that negotiations are going well; he added that he expects summer train operations.

Supv. Goodspeed said that it was possible that following one or two additional telephone conferences that the issue will probably move to the Warren County Board of Supervisors for action.

Supv. Goodspeed explained that the Town Board was at the Ski Bowl Lodge at the request of Gore Mountain Manager Mike Pratt and Marketing Manager Emily Stanton to show off the improvements made to the lodge with funding from insurance and grants from the Town of Johnsbury. Supv. Goodspeed said that he had been at the ORDA meeting in Lake Placid earlier in the day with both Mike Pratt and Emily Stanton.

ORDA Manager Mike Pratt thanked the Town Board for having the meeting at this facility; he added that the building renovations and improvements cost about two hundred and fifteen thousand dollars. The funding was from the "soft start" grant, the insurance from the Ski Hut and a Warren County Economic Development grant. Emily Stanton said that the facility helps make a good family atmosphere, the hub of the shuttle operations, and a great display area for the brochures of the Gore Mountain marketing partners; she added that the facilities are second to none. ORDA Manager Pratt said that he wanted to discuss the flooding of the area, the chain link fence and the land transfer.

ORDA Manager Pratt said that the permanent transfer of the ski trail parcel would be very beneficial; the temporary lease has allowed skiers to ski the Hudson and Forty-sixer trails without having to cross the headwall.

ORDA Manager Pratt said that he was not trying to create a safety issue regarding the chain link fence; he said that a barrier created through the use of shrubs or stones would be more visually appealing for the entrance to the pavilion. Supv. Goodspeed suggested that ORDA Manager Pratt speak with the Summer Youth Program director, deputy director and possibly the Youth Committee about the barrier and the safety issue.

ORDA Manager Pratt said that the flooding problem is caused by runoff from above his operations; the runoff used to flow along an open ditch along the road. A culvert has been installed to allow access to the area across the ditch and the ditch has filled in somewhat. Last year the Highway Department dug a ditch inside the fence; ORDA Manager Pratt believes that either a larger ditch or a culvert nearer the transfer station would solve the problem. Supv. Goodspeed said that he spoke with Highway Superintendent Daniel Hitchcock on Thursday or Friday of the previous week and there was a large volume of water; the water ran into State Route 28. Supv. Goodspeed had Buildings Superintendent Matt Olden check the buildings in the Ski Bowl Park for water. Mr. Peter Heid suggested that the icing was due to the unusual weather conditions earlier in the winter. Mr. Arsenault asked if ORDA Manager Pratt believed that the ORDA operations were a cause of the water problem; ORDA Manager Pratt said that it did not. Mr. Vanselow said that he believes that the heavy rains such as those of last week create a problem; he noted the possibility of washing out the road to the beach area if the runoff is redirected that way. ORDA Manager Pratt said that ninety five percent of the water is from above the lift. Supv. Goodspeed agreed that water has accumulated near the fence in previous years; he believes that it is a minor and fixable problem. ORDA Manager Pratt agreed that it was an inconvenience, not a major problem. Mr. Vanselow asked if there were any actual pump issues from the water collection. Secretary Cherie Ferguson said that there was a little water, but no contamination; the pump was shut down for a time as a precaution.

Mr. Vanselow asked how the new interconnect trails worked for its first season. ORDA Manager Pratt replied that it seemed to work well; the problems arose in going back up to the ORDA ski center from the Ski Bowl. Mr. Vanselow asked if ORDA would ever consider a less expensive lift ticket for the Ski Bowl area only; ORDA Manager Pratt said not at this time and Marketing Manager Stanton said that the Hudson chair is part of the entire operation. Mr. Morehouse asked about additional night skiing. ORDA Manager Pratt replied not in the near future; he added that the Department of Environmental Conservation permit doesn't allow more lighting. Supv. Goodspeed said that he believed it was apparent at the ORDA meeting that Gore is no longer the "second sister" mountain; ORDA Manager Pratt said that Whiteface is a tremendous asset and that Gore is beautiful with great views. Supv. Goodspeed noted that one of the displays showed that Gore's vertical is larger than many of the major Vermont ski mountains.

Supv. Goodspeed and the Town Board thanked Gore Mountain Manager Mike Pratt and Marketing Manager Emily Stanton for their time in speaking about the ski area.

#### NEW BUSINESS

Supv. Goodspeed asked if the Town Board wished to act upon the request, received in correspondence earlier in the meeting, from the Johnsbury Historical Society for the use of either the Ski Bowl Park or the Kellogg Property on the weekend of September 9, through 11, 2011 for a Civil War re-enactor weekend. Supv. Goodspeed said that he believes that the preference is the Ski Bowl Park; Johnsbury Historical Society representative Mrs. Sally Heidrich agreed that the parking would be easier and that the availability of toilets and water made it the preferable site. Secretary Cherie Ferguson said that she has checked and the site is available.

#### RESOLUTION NO. 57

Mr. Stevens presented the following resolution and moved its passage with a second from Mr. Arsenault to allow the Johnsbury Historical Society to use the Ski Bowl Park on the weekend of September 9, through 11, 2011 for a Civil War re-enactor weekend. With 5 members voting in favor the resolution is declared carried. Ayes-5 (Arsenault, Morehouse, Stevens, Vanselow, Goodspeed) Nays -0

Supv. Goodspeed noted that the flooding at the Ski Bowl Park had been discussed earlier with Gore Mountain Manager Mike Pratt and Marketing Manager Emily Stanton.

Supv. Goodspeed explained that following the landfill closure the Town has contracted to have quarterly testing of the ground water at the landfill site as required by the Department of Environmental Conservation (DEC). Secretary Cherie Ferguson said that the annual cost has run as high as eight thousand dollars. With an environmental engineer's report and recommendation the frequency of the testing could be lowered. Mr. Vanselow said that it appeared that the annual cost seemed to be less than sixteen hundred dollars annually; Supv. Goodspeed said that there should be some relief. Mr. Peter Heid asked if this was standpipe in the picnic area; Sect. Ferguson said that the standpipe was one of the test points. Mr. Vanselow said that it has been in the back of people's minds that the swimming area is below the capped landfill.

Supv. Goodspeed explained that the Riverside Fire Department has named Mr. Clennan Ellifritz as their honoree for 2011; he asked the Town Board to pass a resolution of appreciation

for the sixty years of service which Mr. Clennan Ellifritz has given to the Town of Johnsbury and to Riverside Fire Department.

RESOLUTION NO. 58

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

**A RESOLUTION OF APPRECIATION TO CLENNAN ELLIFRITZ**

**WHEREAS**, the residents of the Town of Johnsbury have had the good fortune of having the services of capable and dedicated firefighters available for many years; and

**WHEREAS**, those individuals who are members of the Town's seven separate Fire Departments give many hours of their time for training, practice, and responding to fires within the Town and surrounding areas; and

**WHEREAS**, Clennan Ellifritz was an active member of the Riverside Fire Department for 60 years; and

**WHEREAS**, Clennan diligently and unselfishly served the residents of the Town of Johnsbury while serving as a member of the Riverside Fire Department, where he served twice as chief; and

**WHEREAS**, Clennan faithfully responded to numerous fire and emergency calls regardless of the un-timeliness of said calls and personal and family disruptions; and

**WHEREAS**, Clennan displayed on many occasions personal disregard for his own safety in order to protect the health, safety and welfare of our residents;

**NOW, THEREFORE, BE IT RESOLVED**, the Town Board of the Town of Johnsbury hereby extends with sincerest gratitude true appreciation for Clennan's exemplary service and unselfish dedication to our community.

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

Supv. Goodspeed informed the Town Board that as a result of the ice jam on the Hudson River in North Creek the height of the river was 12.20 feet, a new record (previous was 12.14 feet in 1948). Supv. Goodspeed said that there was tremendous co-operation among the fire companies and Warren County services. The North Creek Fire Company was on call from 11:00am Friday March 11 through Sunday afternoon when the jam broke loose. The Town Board thanked all the fire departments on behalf of the Town. Mr. Vanselow thanked Secretary

Cherie Ferguson for keeping the Town residents updated on the flooding conditions associated with the ice jam. Mr. Peter Heid suggested that an ice jam would be a good annual tourist event.

Supv. Goodspeed reminded the Town Board and the public that on March 24, there would be an open meeting to discuss both booking arrangements and long term planning for the Kellogg (Waddell) property. The meeting is open to any interested parties. The meeting is scheduled for 12:00 noon, March 24, at either the Tannery Pond Community Center or Andi's at Smiths. Mr. David Bulmer said that eh had obtained a copy of the Elan Group report from the Town clerk and has an e-mail version for those interested; Supv. Goodspeed said that this report leaves a lot to be desired.

Supv. Goodspeed informed the Town Board that he had received several complaints regarding access to and egress from the Comlinks development; the complaints include the ability to get emergency services and also postal delivery to the site. Supv. Goodspeed said that eh has contacted some of the principals of the operation to request that their access roads and parking areas be plowed and maintained in a timelier manner; he did add that there is a limit to the pressure which the Town can exert on private landowners.

Supv. Goodspeed said that the Highway Department has worked very hard over the last five day period with rain, ice and snow; he added that there are several pieces of equipment down and that the workers are very tired. Supv. Goodspeed noted that there have been some complaints, but the Highway crews have been working hard to keep the Town roads open. Mr. Peter Heid said that his road had not been plowed, however, before he could call to report the problem the road had been plowed and an apology was extended.

#### PRIVILEGE OF THE FLOOR

Mr. David Bulmer said that there had been discussions at the chamber of commerce and the business alliance meetings about the condition of the Kellogg (Waddell) property as these organizations wish to use the property; the organizations would like to put together a group of volunteers to clean up the property if the Town board would remove the trash. Supv. Goodspeed said that this could be discussed at the March 24 meeting.

Mr. David Bulmer asked about the proclamation for the shuttle operator; Mr. Vanselow said that he was working on it.

#### RESOLUTION NO. 59

Mr. Morehouse presented the following resolution and moved its passage with a second from Mr. Vanselow that the following certified bills which have been reviewed by the board members be paid: General Fund- Warrant #6G/Claims #104-125; Highway Fund- Warrant #6H/Claims #45-58; North Creek Water Dist.- Warrant #5W/Claims#20-27; Library Fund-Warrant #3L/Claims#11-15; Capital Projects Fund- Warrant #2CPF/Claim #3. With 5 members voting in favor the resolution is declared carried. Ayes-5 (Arsenault, Morehouse, Stevens, Vanselow, Goodspeed) Nays - 0

Supv. Goodspeed asked that the Town Board enter into an executive session to discuss the contract terms of the bookkeeping position. Supv. Goodspeed said that the executive session may or may not result in action by the Town Board.

Mr. Stevens presented the following motion, with a second from Mr. Morehouse to enter into executive session for the purpose of discussing the contract terms of the bookkeeping position at 8:00pm. With 5 members voting in favor, the motion is declared carried. Ayes-5 (Arsenault, Morehouse, Stevens, Vanselow, Goodspeed) Nays - 0

Mr. Vanselow presented the following motion, with a second from Mr. Morehouse to adjourn the executive session at 8:30pm. With 5 members voting in favor, the motion is declared carried. Ayes-5 (Arsenault, Morehouse, Stevens, Vanselow, Goodspeed) Nays - 0

Supv. Goodspeed asked if anyone wished to present a resolution to hire a bookkeeper for the Town.

#### RESOLUTION NO. 60

Mr. Morehouse presented the following resolution and moved its passage with a second from Mr. Vanselow to offer Ms. Stephanie Leonard a part time position of bookkeeper for the Town Of Johnsbury with the following conditions: a thirty day review and a six month probationary period. With 5 members voting in favor the resolution is declared carried. Ayes-5 (Arsenault, Morehouse, Stevens, Vanselow, Goodspeed) Nays - 0

#### RESOLUTION NO. 61

Mr. Vanselow presented the following resolution and moved its passage with a second from Mr. Morehouse that the Town Board will ask Ms. Candace Lomax to stay on with the Town Of Johnsbury indefinitely for two days per week for training, guidance and consultation purposes regarding the newly hired bookkeeper. With 5 members voting in favor the resolution is declared carried. Ayes-5 (Arsenault, Morehouse, Stevens, Vanselow, Goodspeed) Nays - 0

Supv. Goodspeed asked the Town Board members if they wished to act upon the letter from Ms. Candace Lomax read earlier in the meeting informing them of her interest in being appointed to fill the vacancy on the Board of Assessment Review.

#### RESOLUTION NO. 62

Mr. Arsenault presented the following resolution and moved its passage with a second from Mr. Stevens to appoint Ms. Candace Lomax to the Town of Johnsbury Board of Assessment Review for a term to expire September 30, 2011. 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. Morehouse at 8:33pm. With 5 members voting in favor the motion is carried. Ayes-5 (Arsenault, Morehouse, Stevens, Vanselow, Goodspeed) Nays - 0

The next regular Town Board meeting will be held at 6:00pm on March 1, 2011 at the Wevertown Community Center, Wevertown, NY.

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Prepared by William Rawson, Town