

**Minutes of the Town of Johnsbury Regular Board Meeting March 3, 2009  
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, March 3, 2009 at 7:00pm at the Wevertown Community Center, Wevertown, NY Supervisor Goodspeed called the meeting to order at 7:00PM and the pledge to the flag was led by Town Clerk William Rawson.

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

Guests: On attached list

Supv. Goodspeed informed the Town Board that as the meeting was only one week following the previous meeting that the minutes of the February 24, 2009, meeting was not yet available.

**CORRESPONDENCE:**

1. A letter from Mr. Matt Klippel, informing the Town Board of his interest in the position of alternate member of the Planning Board.
2. A letter from Mr. Vince Schiavone, Chairman of the Youth Committee requesting that the Town Board appoint Mr. Paul Lo Guerico as a member of the Youth Committee.
3. A letter from Ms. Maureen Freehill, Housing Analyst for the NYS Division of Housing and Community Renewal, requesting that the Town Board allow the NYS Division of Housing and Community Renewal to conduct training sessions at the Tannery Pond Community Center at no charge to the agency.

Supv. Goodspeed explained that Mr. Matt Klippel had indicated that he would not be able to be present for the scheduled interview session for prospective Planning Board candidates on February 3; Supv. Goodspeed asked the Town Board members if they wished to reschedule the interview session or appoint without an interview as Mr. Klippel was the only candidate for the position. Mr. Stevens suggested appointing Mr. Klippel as he was the only candidate.

**RESOLUTION NO. 63**

Mr. Stevens presented the following resolution and moved its passage with a second from Mr. Morehouse to appoint Matt Klippel as the Alternate Member of the Town of Johnsbury Planning Board for a term to expire on December 31, 2012. 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 if they wished to reappoint Mr. Nate Pelton to the Planning Board or ask him to come for an interview. Mr. Vanselow noted that the Town board had interviewed Mr. Pelton about a year ago to fill the vacancy and believed that he was doing a good job.

**RESOLUTION NO. 64**

Mr. Vanselow presented the following resolution and moved its passage with a second from Mr. Arsenault to appoint Nathaniel J. Pelton to a seven year term on the Planning Board to

expire on January 31, 2016. With 5 members voting in favor the resolution is declared carried. Ayes-5 (Arsenault, Morehouse, Stevens, Vanselow, Goodspeed) Nays - 0

Supv. Goodspeed asked if the Town Board wished to act upon the letter from the Youth Committee requesting the appointment of Mr. Paul Lo Guerico as a member of the Youth Committee; Supv. Goodspeed noted that the usual procedure for filling a vacancy is for the Town Board to advertise the vacancy and conduct interviews prior to filling the vacancy. Youth Committee member, Cheri Hayes said that Mr. Lo Guerico had come to a meeting and later volunteered his time to become a member. Mr. Stevens suggested that the Town Board approve the recommendation.

#### RESOLUTION NO. 65

Mr. Stevens presented the following resolution and moved its passage with a second from Mr. Arsenault to affirm the Youth Committee recommendation and to appoint Mr. Paul Lo Guerico as a member of the Youth Committee for a term to expire on May 10, 2014. With 5 members voting in favor the resolution is declared carried. Ayes-5 (Arsenault, Morehouse, Stevens, Vanselow, Goodspeed) Nays - 0

#### COMMITTEE REPORTS:

#### OLD BUSINESS:

Supv. Goodspeed reminded the Town Board members that the discussion of the extension of the Occupancy Tax contract of the Chamber of Commerce branding project from 2008 into 2009 was to be continued tonight. Supv. Goodspeed asked Mr. Edward Milner, President of the Gore Mt. Region-Town of Johnsbury Chamber of Commerce to present the Chamber side of the discussion. Mr. Milner gave the Town Board copies of the letter asking for an extension which was said to have been delivered to the Town Hall on December 29. The contract covers the second phase of the branding project which involves the Glen Group delivering, to the Chamber, the following items: a unifying definition of the regional market; the development of a logo and tagline; written guidelines for use of logo and tagline in media presentations (advertising) and a workshop with instruction on using these items; the Chamber was to have raised approximately \$10,000.00 through fund raising and donations in order to access the \$7406.00 of the Occupancy Tax contract. Mr. Milner said that the Chamber has raised about \$2000.00 and has commitments for an additional \$1000.00 so far and is seeking a contract extension through May 2009 to seek the remaining \$5000.00 of additional funds. Mr. Milner said that the objective is to extend the stay of visitors from a weekend to a week. Mr. Vanselow noted that this was less than one half of the necessary funds and asked if any other municipalities has contributed; Mr. Milner replied that some funding had come from Indian Lake businesses, but , that none had come from any other municipalities or ORDA. Mr. Milner added that if the matching funds were not raised by May that the project would be dropped. Supv. Goodspeed asked if the project can be successful without the support of ORDA; Mr. Milner believed that it can. Mr. Paul Heid said that Snow Goer magazine had recently published a very good article on local snowmobile trails and asked why support Gore Mt. if the ski area does not support the town efforts. Mr. Arsenault asked if there would be any additional Occupancy Tax funding requests for the branding project; Mr. Milner replied that there would be no additional requests. Mr. Arsenault said that he was disappointed that ORDA and other regional municipalities were not supportive of the project. Supv. Goodspeed said that he believed that there would be more opportunities to reach out to ORDA. Mr. Stevens asked why there was no commitment from other municipalities; Mr. Milner

replied that he had not asked any other municipalities. Mr. Morehouse asked if the money would revert to Warren County if not used before May; Secretary Cherie Ferguson replied that the funds would not be lost by that time.

RESOLUTION NO. 66

Mr. Morehouse presented the following resolution and moved its passage with a second from Mr. Arsenault to allow the 2008 Occupancy Tax contract of the Gore Mt. Region-Town of Johnsbury Chamber of Commerce for the branding project to be extended through May 31, 2009 for the purpose of allowing the Chamber of Commerce additional time to procure the matching funds required to fund the contract; and additionally, it is resolved that the contract may be extended to allow the completion of the project if the funding is collected by the end of May 2009; and additionally, it is resolved that if the contract is fulfilled the reimbursement request will be made within the thirty day period stipulated by the Town Board for 2009 contracts. With 4 members voting in favor the resolution is declared carried. Ayes-4 (Arsenault, Morehouse, Stevens, Goodspeed) Nays - 1 (Vanselow)

In a related topic Supv. Goodspeed noted that the Warren County Occupancy Tax Committee has recommended the creation of two positions to better market the county to groups. One position would be for a marketing person, not tied to Warren County Tourism to bring larger convention events to the county; the second position would be to coordinate events occurring in the First Wilderness Heritage Corridor and create a flow of events, not a number of events on at one time. Mr. Milner added that the Warren County Chamber of Commerce needs to look above Lake George in promoting Warren County.

Supv. Goodspeed informed the Town Board that the trip along Glen Creek Road to be made by Highway Supt. Daniel Hitchcock and Mr. Cork Nester has not yet occurred. Mr. Paul Heid, a member of the Thurman Connection Snowmobile Club said that the club would request that the seasonal maintained portion of Dankers Road be added to the list of snowmobile roads; Supv. Goodspeed replied that the Town Board was willing to look at that, but would like to have all requests made at one time.

Supv. Goodspeed reminded the Town Board that the discussion of time sheets was to be continued at this meeting. The NYS Retirement System has mandated that all elected and appointed members of the retirement system not filling out a time card must keep a log of their hours for three months. The question which the Town Board was to discuss now is whether the Town Board wished to have non-members of the retirement system also keep a record of their hours. The employees affected would be the Town Historian, Zoning Enforcement Officer and the secretary to the Planning Board and the Zoning Board of Appeals; these are all part time employees not in the retirement system. Mr. Vanselow said that the intent of the NYS Retirement System was to determine the actual service credit based upon the time logs; he added that he believed that the accountability would be a good thing. Ms. Cheri Hayes asked if the log would be similar to a time sheet; Mr. Vanselow answered that the log is more complicated as these employees often work at home or at other sites and are rarely in Town Hall in the performance of their duties. Mr. Paul Heid asked if this would include all appointed positions as well as elected or hired; yes it would.

RESOLUTION NO. 67

Mr. Arsenault presented the following resolution and moved its passage with a second from Mr. Morehouse that all employees not required to keep time logs by the NYS Retirement System or keeping a time sheet are required by the Town Board to keep a time log for three months beginning in March 2009. 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 no quotes have yet been received on the cost of materials for the resurfacing of the basement floor at the Wevertown Community Center.

As no one was present from either the Ski Bowl Café or the Planning Board for a discussion of the sign ordinance issue this discussion will be rescheduled.

Supv. Goodspeed updated the Town Board on conveyance of the lift line parcel from Front Street Mountain Development to the Town; as of the afternoon of March 2, 2009 the Town of Johnsburg is the owner of the Ski Lift parcel where the Gore Mountain-Ski Bowl Interconnect Lift is to be installed by ORDA.

Supv. Goodspeed informed the Town Board that the Town needs to move forward with the revaluation of property in the town; both Warren County Real Property and the NYS Office of Real Property are pushing for the revaluation to begin. Supv. Goodspeed has asked Michael Swan, Director of the Warren County Real Property Office to look into the most cost efficient method for the town; Supv. Goodspeed is looking for a great deal of assistance from Warren County.

Supv. Goodspeed informed the Town Board that he planned to go to Ballston Spa to meet with Mr. Peter Goutos, of C.A. Smith, LLC to discuss the cell tower issue and to attempt to move this issue forward. Supv. Goodspeed asked if the Town Board had any objections to him making this trip; hearing none he said that he would report on the results of the meeting at the next Town Board meeting.

Supv. Goodspeed asked Secretary Cherie Ferguson to report on the stair chair recently installed at the Wevertown Community Center; Ms. Ferguson explained that the stair chair was professionally installed and that the motor burned out on its first trial run under load. The company will return to repair the stair chair tomorrow.

#### NEW BUSINESS

Supv. Goodspeed informed the Town Board that the Town had received a certificate of thanks from the American Red Cross for allowing them the use of the Tannery Pond Community Center for a Blood Drive on February 16, 2009; they exceeded their goals for the blood drive.

Supv. Goodspeed asked if the Town Board wished to allow the request read earlier from the NYS Division of Housing and Community Renewal to conduct training sessions at the Tannery Pond Community Center at no charge to the agency; he noted that it has been the policy of the Town Board to exempt local government and quasi government agencies from fees. Accounts Clerk Candace Lomax suggested the North Country Outreach building for the training; as there will be other Town Board meetings prior to the time for the advertising of the meeting, the Town Board asked that the request be referred to the North Country Outreach before a decision was reached.

Supv. Goodspeed informed the Town Board members that in their packets were a list of proposed changes to water rents in the North Creek Water District. The changes involve the following properties: Copperfield Inn, Laura's (Tom Pierson), Choptank Mills and the Ski Bowl Café. The changes to Choptank Mills and the Ski Bowl Café bills would increase their rates to the level of other restaurants in the district; the change to Laura's bill would decrease the rate to the level of other restaurants in the district; the pro rating of the bill to the Copperfield Inn reflects the service being turned on as of December 30, 2008 and is a one time change to the current billing period.

#### RESOLUTION NO. 68

Mr. Stevens presented the following resolution and moved its passage with a second from Mr. Arsenault that the Town Board authorizes the following North Creek Water District Rate Changes:

Copperfield - \$1,719.00 for 6 months. Pro-rate to \$859.50 Water was turned on December 30, 2008; a one time change to the current billing period

Tom Pierson (Laura's) - \$268.50 for 6 months. Change to \$240 for 6 months. Same as Durant's

Choptank Mills - \$153.50 for 6 months. Change to \$240 for 6 months. Same as Durant's

Ski Bowl Café - \$96 for 6 months. Change to \$236.00 for 6 months. Same as Marsha's

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 Roger Jones, acting for the Johnsburg Fish and Game Club, had contacted him to discuss the possibility of the Johnsburg Fish and Game Club conducting a fishing derby at the Ski Bowl Park on a date in May; a formal request is expected to follow.

Supv. Goodspeed distributed the monthly report of the Zoning Enforcement Officer, Mr. Edward Tuttle, for the month of February 2009, to the members of the Town of Johnsburg Town Board.

Supv. Goodspeed distributed the Supervisor's Monthly Report, for the month of February 2009, to the members of the Town of Johnsburg Town Board.

Supv. Goodspeed reminded those present that beginning on March 4 and continuing through March 7 there would be a celebration of the 75<sup>th</sup> Anniversary of the arrival of the first ski train in North Creek with many events, including opening ceremonies at the North Creek Railway Depot Museum on Wednesday morning, a "Big Air" contest at the Ski Bowl on Friday and concluding with a fireworks display and music on Saturday beginning at 7:50pm.

#### PRIVILEGE OF THE FLOOR

Accounts Clerk Candace Lomax informed the Town Board that the annual report to the Comptroller had been filed and is available at the Town Clerk's office at the Town Hall. Ms. Lomax added that requests for absentee ballots for the Special Congressional Election to be held on March 31, 2009 must be postmarked by March 23.

Supv. Goodspeed noted that the Zoning Enforcement Officer, Edward Tuttle, had attended the previous Planning Board meeting; the Planning Board will change its meetings to the fourth Monday of the month to accommodate the fire company meeting schedule and allow for the Zoning Enforcement Office to attend the Planning Board meetings.

Mr. Paul Sears questioned the Town Board's approval of the expansion of the Johnsbury Emergency Squad into the public use space at the Sodom Community Center (Scout Hall). Supv. Goodspeed explained that the Emergency Squad had requested and been granted a twelve foot expansion into the public use area for the expansion of their lounge areas. Mr. Sears said that the loss of space will lower the maximum occupancy limit by as much as forty five persons and move the limit to well below one hundred persons. Mr. Peter Olesheski added that the Sodom Building has become the primary meeting site for the youth baseball league as well as other large groups; the fact that it is free for use to town residents with a large capacity, away from Main Street, North Creek, traffic, a playground and adequate parking make it suitable for large family gatherings. Ms. Cheri Hayes said that the Monroe family has used the building for reunions in the past; often with more than one hundred people in attendance. Ms. Amy Cleveland said that her family had also held large family gatherings at the Sodom Building. Mr. Peter Heid also questioned the loss of public use space versus the benefits to the Emergency Squad. Supv. Goodspeed said that the issue should be discussed further and asked that the Town Board order the permission and the construction stayed until after the next Town Board meeting; this would allow further discussion with parties both in favor of and opposed to the proposed expansion to be present to explain their positions to the Town Board.

#### RESOLUTION NO. 69

Mr. Stevens presented the following resolution and moved its passage with a second from Mr. Vanselow that the Town Board withdraws the approval of the expansion project submitted by the Johnsbury Emergency Squad at the February 24, 2009 in Resolution Number 50 of 2009 and further discussion of the issue is tabled until the March 17, 2009, Regular Town Board meeting. With 4 members voting in favor the resolution is declared carried. Ayes-5 (Arsenault, Stevens, Vanselow, Goodspeed) Nays - 1 (Morehouse)

#### RESOLUTION NO. 70

Mr. Stevens presented the following resolution and moved its passage with a second from Mr. Arsenault that the following certified bills which have been reviewed by the board members be paid: General Fund- Warrant #5G/Claims #96-108; Highway Fund- Warrant #5H/Claims #36-40; North Creek Water Dist.- Warrant #5W/Claim#18; Capital Projects Funds-Warrant# 1CPF/Claim#1. With 5 members voting in favor the resolution is declared carried. Ayes-5 (Arsenault, Morehouse, Stevens, Vanselow, Goodspeed) Nays - 0

A motion to adjourn the meeting was presented by Mr. Morehouse with a second from Mr. Arsenault at 8:15pm. With 5 members voting in favor the motion is carried. Ayes-5 (Arsenault, Morehouse, Stevens, Vanselow, Goodspeed) Nays - 0

The next regular Town Board meeting will be held at 7:00pm on March 17, 2009 at the Town Hall (Library), North Creek, NY.

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Prepared by William Rawson, Town Clerk