

**Minutes of the Town of Johnsburg Regular Board Meeting June 7, 2011
Held at the Wevertown Community Center, Wevertown, NY**

Minutes of the regular meeting of the Town Board of the Town of Johnsburg held on Tuesday June 7, 2011 at 7:00pm at the Wevertown Community Center, Wevertown, NY. Supervisor Goodspeed called the Frank Morehouse.

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. 93

Mr. Arsenault presented the following resolution, and moved its passage with a second from Mr. Stevens, to accept the minutes of the May 3, 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 Mrs. Candace Lomax tendering her resignation from the Board of Assessment Review.
2. A letter from Mr. Peter Olesheski declining his appointment as the alternate member to the Planning Board
3. A letter from the North Country Hardship Fund, Inc. requesting the Town Board extend the curfew of the Ski Bowl Park until midnight on August 6, 2011 for their Waynestock IV fundraiser and also that the Town Board allow security personnel to stay in the park overnight on August 5 and August 6 in a camper.
4. An application from the North Creek Farmers Market Association, Inc. requesting the Town Board grant that organization a blanket vending permit for their sponsored events for 2011.
5. A letter from Mrs. Dorothy Osterhout writing for the "Residents of Riparius" asking that Town Board members attend a public meeting when the date is announced on the proposed closing of the Riparius Post Office.
6. A letter from Mr. Vince Schiavone, Chairman of the Johnsburg Youth Committee recommending the appointment of Mrs. Deb Morris to that committee and also a recommendation for pay rates for employees of the Summer Youth Program.
7. A notification of renewal of liquor license from Ms. Lori Smith of Marsha's Family Restaurant.
8. A letter from the Johnsburg Historical Society requesting permission from the Town Board to allow the re-enactors to build at least two campfires on the ground rather than in half drums as previously requested for their Civil War weekend event at the Ski Bowl Park from September 9, through 12, 2011.
9. A letter from Mrs. Tara Sears announcing a dual Eagle Scout ceremony and requesting proclamations from the Town Board for the two Eagle Scouts, Liam Harrison and

Jonathan Sears.

10. A response from Mr. Edward Goodman, in favor of an indoor heated pool, to the poll question about the Town Beach in the Supervisor's Report in the Johnsborg Central School newsletter.
11. A letter from Youthworks Regional Director Heather Vroman, requesting permission from the Town Board to use the shower facilities at the Tannery Pond Community Center and the Ski Bowl Park on Mondays through Thursdays between the hours of 3:00-4:00pm from June 20 through August 4, 2011.
12. A letter from Mr. Peter Heid expressing his dissatisfaction with the actions of the Town Board regarding the Town Beach and the pipeline project and requesting that the pipeline be closed off or plugged to stop its current operation.
13. A letter from the Town of Johnsborg Planning Board requesting amendments to the Local Land Use Plan to provide for boundary line adjustments and also to change the size requirement on eight of the maps which the Planning Board requires.
14. A letter from Ms. Jill Broderick urging the Town Board to hold off on a decision to close permanently the beach area to swimming until requirements and costs associated with reclaiming the area for swimming are available; she also urges the Town Board to reclaim the swimming area.

The Town Clerk informed the Town Board that the Town has received two letters from a former employee requesting employment.

COMMITTEE REPORTS:

OLD BUSINESS:

Supv. Goodspeed informed the Town Board that Front Street Mountain Development has requested that the Town Board approve the extension of the authorization of their hold and haul system which had expired on May 31, 2011. Supv. Goodspeed explained that the hold and haul system was a temporary measure to allow construction to continue until the wastewater treatment facility can be completed. Supv. Goodspeed asked that attorney Daniel Smith representing Front Street Mountain Development explain their request to the Town Board. Attorney Smith said that the Town Board had approved the extension of the first hold and haul and the second hold and haul by Resolution Number 205 of 2010 (November 4, 2011) and that Front Street Mountain Development was now seeking an extension of these systems for one year; he added that there would be no request for a certificate of occupancy for the second building. Mr. Arsenault noted that the Town Board had been given every assurance that this issue would not return to the Town Board for further action. Attorney Smith said that the redesign of the wastewater system as an underground facility with treated effluent in place of an above ground system which requires an operator; he added that the treatment plant is onsite and that the extension of the hold and haul permit would allow local builders to keep on working. Supv. Goodspeed said that there is a fair amount of frustration on the Town Board's part; he added that this part of the project has been going on a long time. Mr. Vanselow said that he has major concerns with the hold and haul; he added that two years ago the Town Board was told that approvals were close. Mr. Vanselow asked if there is a tank installed for the second building; Mr. Mac Crikelair, Front Street

Mountain Development, replied that the company will not be looking for a hold and haul on the second building.

Mr. Arsenault asked for a comment from Mr. Thomas Suozzo of Delaware Operations, the Town engineering firm. Mr. Suozzo said that he believes that progress is being made; he added that Front Street Mountain Development needs to decide on the wastewater system it will use. Mr. Suozzo did suggest contacting the NYS Department of Health (DOH) regarding the hold and haul. Supv. Goodspeed said that the DOH was not at the meeting on last Thursday; Mr. Mac Crikelair said that no units can be sold without a certificate of occupancy which is not being asked for. Supv. Goodspeed said that the DOH regulations permitting a hold and haul system seem to suggest that a wastewater system should be under construction. Mr. Arsenault asked for a timetable; Attorney Smith replied that he was unsure due to the bottleneck of the regulatory agency.

Supv. Goodspeed requested that the Town Board enter into executive session to discuss contract negotiations regarding Front Street Mountain Development with the Town Attorney's office and the Delaware Operations, the Town engineering firm.

Mr. Stevens presented the following motion, with a second from Mr. Arsenault to enter into executive session for the purpose of discussing contract negotiations regarding Front Street Mountain Development with the Town Attorney's office and Delaware Operations, the Town engineering firm at 7:20pm. With 5 members voting in favor, the resolution is declared carried. Ayes-5 (Arsenault, Morehouse, Stevens, Vanselow, Goodspeed) Nays - 0

Also present was Erika Sellar Ryan of Jordan and Kelly, LLC. and Thomas Suozzo of Delaware Operations.

Mr. Arsenault presented the following motion, with a second from Mr. Morehouse to adjourn the executive session for the purpose of discussing contract negotiations regarding Front Street Mountain Development with the Town Attorney's office and Delaware Operations, the Town engineering firm at 7:40pm and to return to the public portion of the meeting. With 5 members voting in favor, the resolution is declared carried. Ayes-5 (Arsenault, Morehouse, Stevens, Vanselow, Goodspeed) Nays - 0

Supv. Goodspeed asked Front Street Mountain Development for clarification of the extent of their request; Attorney Daniel Smith replied that it was for two buildings with four units, TH-1 and TH-2. Mr. Mac Crikelair said that the Adirondack Park Agency designation of the second building is TH-3 not TH-2. Mr. Vanselow asked that any approval be limited to these two buildings.

RESOLUTION NO. 94

Mr. Stevens presented the following resolution, and moved its passage with a second from Mr. Arsenault that the Town Board acting as the Board of Health will approve the further extension of the hold and haul tanks for the TH-1 and TH-3 buildings in the Front Street Mountain Development project with an expiration date of June 7, 2012 and further, that the Town Board will require that all other conditions imposed by the original authorization granted in Resolution Number 132 enacted on July 21, 2009 and in Resolution 205 enacted on November

4, 2010 continue in full force and effect; and that these approvals are granted under the following conditions: that the units will not be sold unlawfully occupied and that this Town Board permission will be withdrawn if the developer applies for a certificate of occupancy for the units served by the second hold and haul system. With 4 members voting in favor the resolution is declared carried. Ayes-4 (Arsenault, Morehouse, Stevens, Goodspeed) Nays – 1 (Vanselow)

Supv. Goodspeed informed the Town Board that he had met with Engineer Kathleen Suozzo of Delaware Operations about the Town Beach at the Ski Bowl Park. Engineer Suozzo has provided a document listing the requirements which Mr. Greg Reynolds of the NYS Department of Health (DOH) had identified as necessary to return the Town Beach to active usage as a permitted beach; Engineer Suozzo has also included budgetary estimates for the Town to fulfill these requirements. Supv. Goodspeed said that in addition there would be permitting required from at least two regulatory agencies. Mr. Vanselow asked if the DOH considers that the beach permit has expired; is this a closure or a wholly new reopening. Supv. Goodspeed replied that it was not a total failure of the dam and that it could be rebuilt as a maintenance operation. Supv. Goodspeed asked that the Town Board review the information from Delaware Operations and be ready to discuss this issue at the June 21 meeting with Engineer Suozzo present.

Supv. Goodspeed asked Mrs. Michelle SanAntonio and Ms. Kate Nightingale for their report from the Kellogg (Waddell) Property Committee. Mrs. Michelle SanAntonio explained that she and other members of the committee have met with Warren County Planning and Community Development, Deputy Director Wayne LaMothe to discuss the grant funding for the Kellogg (Waddell) properties; Mr. LaMothe explained that the sale price of \$205,000.00 is part of the match as is \$20,000.00 of funding to the Owens House. Members of the committee have also met with an engineer from Barton Mines Corporation who made suggestions regarding the maintenance of the buildings. The basic advice was that the “stable building” needs new footings, the “scales building” needs new trusses and a new roof and the “T building” is in good shape. Mrs. SanAntonio said that the committee will probably ask the Town board for approval to hire an engineer to provide detailed information for the restoration and maintenance of the buildings. Mrs. SanAntonio informed the Town Board that Mr. Arsenault has volunteered to act as liaison between the committee and the Town Board; she added that the next committee meeting will be on Wednesday June 15 at 6:30pm to accommodate those interested persons with evening hours. Supv. Goodspeed asked how the benefit went; Ms. Nightingale replied that it went well and plans are being made for next year, about one hundred twenty five people attended and that the funds raised were not a large amount. Supv. Goodspeed said that he had heard that there were questions about changing the name of the property; Ms. Nightingale said that the name remaining the same did not appear to be in the deed. Supv. Goodspeed said that he believed that there was a stipulation in the conveyance that the Kellogg name remain with the property and added that this should be researched further. Ms. Nightingale said that it was possible to name each building to help showcase the North Creek hamlet location.

Supv. Goodspeed updated the Town Board on the Goodman property discussion; Highway Supt. Daniel Hitchcock and Engineer James Hutchins have looked at the sand on the property. Supv. Goodspeed said that he believed that engineer James Hutchins was not impressed with the amount of sand and he wanted to have an opinion from Highway Supt. Hitchcock as well on

either moving forward or ending the discussion. Mr. Arsenault asked that the landowner be notified that the Town Board would be ready to decide at the next meeting.

Supv. Goodspeed informed the Town Board that the piece of property now under discussion was not the same as before. Secretary Cherie Ferguson explained that the property now under discussion was at the rear of the Town parcel along Maiden Lane; Mr. Neil Shaw would like to acquire the property in order to grade it to stop erosion. The parcel previously discussed is the water main right of way and is not available for transfer. Mr. Stevens asked if the parcel was approximately 47 x 48 feet in size; it is. Mr. Stevens asked what action was being requested at this time; Supv. Goodspeed said that the request was to convey the property to Mr. Shaw for a price and that he was seeking a resolution to authorize the Town Attorney to start the process to determine the price. Mr. Stevens asked if there was any possible future use of the property by the Town; it appears that none is currently planned or anticipated. Mr. Arsenault asked about the attorney fee; Erika Sellar Ryan of Jordan and Kelly, the Town Attorney firm said that it would require very little billable cost for the process.

RESOLUTION NO. 95

Mr. Stevens presented the following resolution and moved its passage with a second from Mr. Vanselow to authorize the Town Attorney's office (Jordan and Kelly) to move forward with resolving a transaction to convey a property (47' x 48') at the rear of the Town Hall property adjacent to Maiden Lane to Mr. Neil Shaw. With 5 members voting in favor the resolution is declared carried. Ayes-5 (Arsenault, Morehouse, Stevens, Vanselow, Goodspeed) Nays -0

Supv. Goodspeed explained that he has had ongoing meetings with the North Creek Post Office staff about safety conditions and a long range solution to problems with the sidewalk. Supv. Goodspeed said that he has spoken with the Warren County D.P.W. about help with the sidewalk issue; Warren County is not looking at other projects until the Thurman roads are stabilized. Mr. David Bulmer asked who owns the sidewalks; Supv. Goodspeed replied that the Town does. Mr. Bulmer noted that other portions of the sidewalks need repair as well. Mr. Peter Heid said that it was his belief that too much salt is used by the Warren County D.P.W.; Supv. Goodspeed said that he has been told that there was a design flaw.

Supv. Goodspeed reminded the Town Board that there have been ongoing discussions with the Open Space Institute (OSI) regarding future plans for the management of the Mill creek Recreation Area. Mr. Vanselow explained that he has made an initial outreach to local Forest Ranger Steve Ovitt for assistance in developing a use plan for the area; he added that there have been some difficulties in finding the committee minutes for the plans of use for the area. Supv. Goodspeed asked Mr. Vanselow to continue working on this issue; he added that OSI is not pushing hard on this issue at the moment. Mr. David Bulmer questioned the liability of a cable swing at that site. Supv. Goodspeed said that it was a concern; Mr. Vanselow said that since the Town has accepted responsibility for the area it is a serious liability concern.

Supv. Goodspeed informed the Town Board that the Warren County D.P.W. had been progressing well on the 13th Lake Road repairs prior to the Town of Thurman flood event. Since the flood event the repairs have been put on hold until the road situation in Thurman is stabilized.

Supv. Goodspeed gave the Town Board an update on the train contract with Iowa Pacific. The contract is on the verge of being signed and a press release is soon to come. Iowa Pacific is planning to institute full operation within days of the contract signing; a general manager has been hired for the operation. The name of the railroad is the Saratoga North Creek Railroad; a website has been established under the name snrcr.com. Each train is to include two heated passenger cars and two observation cars. The final inspection has been completed; some minor storm damage is to be repaired.

Supv. Goodspeed informed the Town Board that as a result of multiple flooding events as a result of April storms and a secondary set of storms in May that there is a possibility of Federal Emergency Management Agency (FEMA) funding assistance. The Town has supplied damage and cost information to Warren County for forwarding to FEMA to seek an award.

Supv. Goodspeed informed the Town Board that in addition to the requests for crosswalks in the hamlet of North Creek that he has been contacted by several local businessmen who are opposed to some of the crosswalks which have been requested; he added that at this time any action by Warren County on the crosswalk request has been put on hold due to the Town of Thurman flooding event. Supv. Goodspeed said that he hopes to get a consensus from the business owners in the future before seeking further assistance from the Warren County DPW.

NEW BUSINESS

Supv. Goodspeed informed the Town Board that as a result of a lightening strike during a storm on the night of May 26-27 the transfer station building and crusher suffered catastrophic damage. Supv. Goodspeed thanked Secretary Cherie Ferguson for her work to see that the station was reopened on Saturday. Two containers have been added to the site to collect household garbage as a temporary measure. Supv. Goodspeed said that he was working to determine a long term solution; he added that some members of the public were not happy with the temporary solutions. Secretary Cherie Ferguson noted that the adjustor for the insurance carrier has been to the site and said that there should be no problem with the claim. Supv. Goodspeed said that he has asked Town Attorney Jordan to look into the requirements for the Town as a result of the landfill closure. Mr. David Bulmer asked if there was a building in place for the employees at the transfer station site; Supv. Goodspeed replied that one has been borrowed from ORDA at the moment.

Supv. Goodspeed informed the Town Board that he has received notification from Warren County that beginning in August or September the NYS Department of Environmental Conservation (DEC) will clean up the "Johnsburg Garage" property in the hamlet of Johnsburg. Mr. Vanselow asked if there would be a bill to the Town or Warren County as a result of this action; Supv. Goodspeed replied that the bill would be paid by the DEC. Mr. Arsenault asked who will own the property following the cleanup; Supv. Goodspeed replied that following the cleanup that Warren County will institute proceedings to take ownership for unpaid taxes and the property will most likely be placed in a tax auction. Supv. Goodspeed added that currently the property has been removed from the tax rolls due to the contamination.

Supv. Goodspeed asked if the Town Board wished to act upon the application, noted as delivered to the Town Clerk and given to the Town Board, from the North Creek Farmers Market Association, Inc. requesting that the Town Board grant that organization a blanket vending permit for their sponsored events for 2011.

RESOLUTION NO. 96

Mr. Vanselow presented the following resolution and moved its passage with a second from Mr. Stevens to authorize the Town Clerk to issue the North Creek Farmers Market Association, Inc. a blanket vending permit for their sponsored events during the 2011 year and further, that the North Creek Farmers Market Association, Inc. be exempt from the fee for said vending permit. 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 Deb Zack, Membership and Development Director of the Adirondack Mountain Club, had requested that the Town Board allow the Adirondack Mountain Club to request a special event alcohol permit for August 14, 2011 in the Ski Bowl Park; this is in connection with the “**ididaride!**” bicycling event which they are sponsoring. Supv. Goodspeed noted that the Town Board had agreed to this request in the past.

RESOLUTION NO. 97

Mr. Arsenault presented the following resolution and moved its passage with a second from Mr. Vanselow to allow permission for the Adirondack Mountain Club to request a special event alcohol permit for August 14, 2011 in the Ski Bowl Park; this is in connection with the “**ididaride!**” bicycling event which they are sponsoring; and further, the Town Board requires that the Town of Johnsburg be named as an additional insured and that proof of insurance for the event is delivered to the Supervisor. 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 Clerk to report on a problem with his office computer at Town Hall. Town Clerk William Rawson explained that on June 3, the computer in his office would not boot up; with assistance from Andy Knoll the computer was repaired to allow operation. Mr. Knoll said that as this was the second major failure in that computer within six months that the computer tower should be replaced. Mr. Knoll had provided two quotes for an Hewlett Packard computer and a Dell computer; the cost of either is approximately \$750.00 and Mr. Knoll has given a quote of \$200.00 to complete the migration of the files and programs from the current computer to the new one when it arrives. Mr. Morehouse asked if any additional accessories were necessary; no the screen and the printer are in good order. Mr. Peter Heid suggested that the HP would be a preferable choice as the internal hardware is less proprietary. Mr. David Bulmer asked about backup; the computer is backed up daily to an external hard drive which is taken off premises. Supv. Goodspeed noted that he planned to take the funds for this purchase from the contingency fund.

RESOLUTION NO. 98

Mr. Stevens presented the following resolution and moved its passage with a second from Mr. Arsenault to authorize the purchase of a new computer, either a Hewlett Packard computer

and a Dell computer as specified by Mr. Andrew Knoll, for the Town Clerk office at a cost of \$750.00 or less; and further, to authorize the payment of \$200.00 to Mr. Andrew Knoll for the migration and set up of said new computer; and further, it is expected that the funding will be moved from the contingency fund. Ayes-5 (Arsenault, Morehouse, Stevens, Vanselow, Goodspeed) Nays – 0

Supv. Goodspeed informed the Town Board and the Town Clerk/Collector that there was discussion at a recent Warren County Board of Supervisors meeting that Warren County will probably require insertion, in each envelope of property tax bills mailed, of an additional sheet which will provide an explanation of which entities receive taxes and the portion of taxes each entity receives. Supv. Goodspeed said that he expects that this will slow the mailing process due to additional time required to add the notice.

(Mr. Vanselow left the meeting at 8:37pm)

Supv. Goodspeed asked if the Town Board wished to act upon the request from Youthworks Regional Director Heather Vroman, requesting permission from the Town Board for their volunteers to use the shower facilities at the Tannery Pond Community Center and the Ski Bowl Park on Mondays through Thursdays between the hours of 3:00-4:00pm from June 20 through August 4, 2011.

RESOLUTION NO. 99

Mr. Morehouse presented the following resolution and moved its passage with a second from Mr. Arsenault to allow the volunteers with the Youthworks program to use the shower facilities at the Tannery Pond Community Center and the Ski Bowl Park on Mondays through Thursdays between the hours of 3:00-4:00pm from June 20 through August 4, 2011. With 4 members voting in favor the resolution is declared carried. Ayes-4 (Arsenault, Morehouse, Stevens, Goodspeed) Nays - 0 Absent (Vanselow)

Supv. Goodspeed noted that the Town Board had received copies of a proposed 2011 Budget amendments in their packets; the amendment is to the Highway Fund to increase an appropriated fund balance at the request of Superintendent of Highways Daniel Hitchcock. Supv. Goodspeed asked that the Town Board approve this amendment to the 2011 Town Budget.

RESOLUTION NO. 100

Mr. Arsenault presented the following resolution and moved its passage with a second from Mr. Morehouse to amend the 2011 Town budget with the following amendments:

Budget Amendments June 7, 2011

General Fund

Increase Estimated
Revenues

A510

Increase
Appropriations

A960

Youth Programs

A3820

900

Youth

A7310.4

LARAC Grant for the Johnsbury Youth Program

FSMD	A2115.2	1,000.00	A8020.41
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To record the receipt of Planning & Development fees.

Highway Fund

Increase Appropriated Fund Balance DA599		Increase Appropriations DA960
	20,000.00	DA5110.4

Increase appropriations for the purchase of item4 road repair.

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

(Mr. Vanselow returned to the meeting at 8:40pm)

Supv. Goodspeed noted that the monthly report of the Zoning Enforcement Officer, Danae Tucker, for the month of May 2011, was in the Town Board members' packets

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

Supv. Goodspeed distributed the Supervisor's Monthly Report, for the month of May 2011, to the members of the Town of Johnsbury Town Board.

Supv. Goodspeed informed the Town Board that Mrs. Trudy Lavery, owner of the parcel adjacent to the Wevertown Community Center, had spoken to him about some dirt which had washed onto here property from the Town Property. Supv. Goodspeed explained that he will ask Parks and Buildings Supt. Matt Olden to remove the material from Mrs. Lavery's property as time permits.

Supv. Goodspeed informed the Town Board that he believes that an agreement is very close on the language of the fire protection contracts between the Town and the fire companies. North River Fire Chief John Donohue was present representing the companies of the Johnsbury Fire Protection District as regards the fire contract. Fire Chief Donohue said that he believes that there is only one item left which needs further clarification; this item relates to the question of hazardous materials response and specialized rescue response (item 7). Fire Chief Donohue said

that some companies don't have such specialized equipment and it is very costly; Erika Sellar Ryan of Jordan and Kelly, replied that wording such as "to the best of available equipment" could be added for clarification. Fire Chief Donohue said that the records request in item 6 for all income is a problem, but the fire companies will agree to it. Fire Chief Donohue asked about the meaning of item 3; Attorney Ryan replied that the clause means that the fire company can show that it has investigated the problem and has a plan to solve it this is sufficient. Fire Chief Donohue said that while approval by the fire companies was not fully guaranteed, but he expected it to be approved. Supv. Goodspeed said that he expects to have the contract issue solved tonight with the Town Board and would like Fire Chief Donohue to take the contract to the fire companies for their approval. Supv. Goodspeed noted that Fire Chief Donohue of North River, the North Creek Fire Company and the Warren County emergency team worked well during the flood event and evacuation in April. Supv. Goodspeed said that the fire contracts will be discussed in a short executive session following tonight's regular meeting.

Supv. Goodspeed asked if the Town Board wished to act upon the letter read earlier in the meeting from Mrs. Candace Lomax in which she tenders her resignation from the Board of Assessment Review.

RESOLUTION NO. 101

Mr. Arsenault presented the following resolution and moved its passage with a second from Mr. Stevens that the Town Board accepts the resignation of Mrs. Candace Lomax from the Board of Assessment Review. 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 read earlier in the meeting from Mr. Peter Olesheski in which he declines his appointment as the alternate member to the Planning Board.

RESOLUTION NO. 102

Mr. Stevens presented the following resolution and moved its passage with a second from Mr. Morehouse that the Town Board accepts Mr. Peter Olesheski declination of his appointment as the alternate member to the Planning Board. 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 request from the North Country Hardship Fund, Inc. to extend the curfew of the Ski Bowl Park until midnight on August 6, 2011 for their Waynestock IV fundraiser and also, that the Town Board allow security personnel to stay in the park overnight on August 5 and August 6 in a camper

RESOLUTION NO. 103

Mr. Vanselow presented the following resolution and moved its passage with a second from Mr. Stevens that the Town Board will authorize the extension of the curfew of the Ski Bowl Park until midnight on August 6, 2011 for their Waynestock IV fundraiser and further, that the Town Board will allow security personnel to stay in the park overnight on August 5 and August 6 in a camper. 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 request from the Town of Johnsbury Youth Committee to appoint Deborah J. Morris of Weverton to fill a vacancy on that committee. The term of the vacancy is through May 10, 2013. Supv. Goodspeed added that the letter included recommendations for pay rates for the employees of the Summer Youth Program; he added that he would like to review the pay rate request for action at the next meeting.

RESOLUTION NO. 104

Mr. Arsenault presented the following resolution and moved its passage with a second from Mr. Vanselow to appoint Ms. Deborah J. Morris of Weverton as a member of the Town of Johnsbury Youth Committee to fill a vacancy for a term to expire May 10, 2013. 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 request from the Johnsbury Historical Society for permission from the Town Board to allow the re-enactors to build at least two campfires on the ground rather than in half drums as previously requested for their Civil War weekend event at the Ski Bowl Park from September 9, through 12, 2011.

RESOLUTION NO. 105

Mr. Stevens presented the following resolution and moved its passage with a second from Mr. Arsenault to allow the re-enactors associated with the Johnsbury Historical Society Civil War weekend event at the Ski Bowl Park from September 9, through 12, 2011 to build at least two campfires on the ground rather than in half drums as previously authorized. With 5 members voting in favor the resolution is declared carried. Ayes-5 (Arsenault, Morehouse, Stevens, Vanselow, Goodspeed) Nays - 0

Supv. Goodspeed suggested that the proclamations requested from the Town Board for the two newly approved Eagle Scouts, Liam Harrison and Jonathan Sears be prepared for the meeting of June 21, 2011.

RESOLUTION NO. 106

Mr. Morehouse presented the following resolution and moved its passage with a second from Mr. Arsenault that the Town Board authorizes the Town Clerk to prepare proclamations in honor of the two newly approved Eagle Scouts, Liam Harrison and Jonathan Sears. With 5 members voting in favor the resolution is declared carried. Ayes-5 (Arsenault, Morehouse, Stevens, Vanselow, Goodspeed) Nays - 0

Supv. Goodspeed noted that Town Attorney Jordan has had discussions with Brian Grisi of the Adirondack Park Agency (APA) and that he will ask the Town Attorney to send this request from the Planning Board to the APA for comment with the changes which he has been researching.

PRIVILEGE OF THE FLOOR

None at this meeting

RESOLUTION NO. 107

Mr. Morehouse 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 #9G/Claims #182-220; Highway Fund- Warrant #9H/Claims #94-119; North Creek Water Dist.- Warrant #8W/Claims#37-44; Library Fund-Warrant #6L/Claims#29-33; Capital Projects Fund- Warrant #3CPF/Claim #4. With 5 members voting in favor the resolution is declared carried. Ayes-5 (Arsenault, Morehouse, Stevens, Vanselow, Goodspeed) Nays - 0

Supv. Goodspeed explained that the Town Board would now move into executive session to discuss two employment/personnel issues and that there was no action expected on these issues and also, a discussion of the fire contract and it was possible that an action would result from this discussion.

Supv. Goodspeed presented the following motion, with a second from Mr. Arsenault to enter into executive session for the purpose of discussing two employment/personnel issues and a discussion of the fire contract with Erika Sellar Ryan representing Jordan and Kelly, LLC, firm of the Town Attorney at 9:00pm. With 5 members voting in favor, the resolution is declared carried. Ayes-5 (Arsenault, Morehouse, Stevens, Vanselow, Goodspeed) Nays - 0

Also present was Erika Sellar Ryan of Jordan and Kelly, LLC.

Mr. Morehouse presented the following motion, with a second from Mr. Vanselow to adjourn the executive session for the purpose of discussing two employment/personnel issues and a discussion of the fire contract with Erika Sellar Ryan representing Jordan and Kelly, LLC, firm of the Town Attorney and reenter the regular session at 9:55pm. 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 fire contracts and approve them at this time.

RESOLUTION NO. 108

Mr. Arsenault presented the following resolution and moved its passage with a second from Mr. Stevens that the Town Board approves the fire contracts for the Johnsburg Fire Protection District subject to the modifications discussed earlier in the regular session with Erika Sellar Ryan of Jordan and Kelly, LLC. 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 there had been several complaints regarding the lack of mowing in the cemeteries; he said that Parks and Buildings Supt. Matt Olden had been mowing as the weather allowed and that his mother and wife had both had serious health issues

during the week prior to Memorial Day. Mr. Vanselow said that the road issues had precluded Parks and Buildings Supt. Olden from receiving any help from the Highway Department.

A motion to adjourn the meeting was presented by Mr. Stevens with a second from Mr. Morehouse at 10:00pm. 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 June 21, 2011 at the Town Hall (Library), North Creek, NY.

Prepared by William Rawson, Town