

**Minutes of the Town of Johnsborg Regular Board Meeting July 6, 2010
Held at 7:00pm at the Wevertown Community Center, Wevertown, NY**

Minutes of the regular meeting of the Town Board of the Town of Johnsborg held on Tuesday, July 6, 2010 at 7:00pm at the Wevertown Community Center, Wevertown, NY. Supervisor Goodspeed called the meeting to order at 7:00pm. The pledge to the flag was led by Councilman Eugene Arsenault.

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. 127

Mr. Morehouse presented the following resolution, and moved its passage with a second from Mr. Stevens, to accept the minutes of the June 15, 2010 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

RESOLUTION NO. 128

Mr. Arsenault presented the following resolution, and moved its passage with a second from Mr. Morehouse, to accept the minutes of the June 15, 2010 Public Hearing on the proposed amendments to the North Creek Water District Rules and Regulations 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 Governor David Patterson thanking the Town Clerk for forwarding a copy of Resolution Number 123 regarding the elimination of the NYS Department of Agriculture and Markets with its centralized dog population list from the dog licensing procedure.
2. A letter from Mr. Wayne Schoonmaker requesting that the Town Board replace the bridge on Harrington Road over Johnson Brook in its current location and not reconfigure Harrington Road to run through his yard and near his home.
3. A letter from John O'Connor, DVM, informing the Town Board that the NYS Department of Agriculture and Markets requested improvements in the contracts with towns for the boarding of seized animals under town and state codes and requesting that the Town Board execute the contract attached to replace the current contract.
4. A letter from Mark J. Kennedy, NYS Department of Transportation Engineer, acknowledging receipt of a speed limit reduction request on South Johnsborg Road near the Hudson Street intersection.
5. A notice of the liquor license renewal for Bar Vino.
6. A notice of the liquor license renewal for Bar Vino Cellar.
7. A letter from Zoning Enforcement Officer Christopher May informing the Town Board of his resignation from that position.
8. A letter from Mr. Frank C. Slycord expressing his interest in filling the Zoning Enforcement Officer position.
9. A letter from Mr. John M. expressing his interest in filling the Zoning Enforcement Officer position.

10. A letter from Vincent Schiavone, Chairman of the Youth Committee, informing the Town Board of the Youth Committee recommendations for hire through the Summer Youth Program in the positions of Water Safety Instructor, Assistant Water Safety Instructor and Tennis Instructor and adding that the salaries of the above positions will be paid from grants received by the Town.
11. A letter from Mr. Noah Dingman expressing his interest in filling the Tennis Instructor position with the Summer Youth Program.
12. A letter from the Mrs. Dottie Osterhout, Chairman of the Johnsbury Planning Board, writing for that Board, urging the Town Board to refuse to discuss any future requests from Front Street Mountain Development until they have completed the conditions set forth in their original "conditional" approval.
13. A letter from Parks and Buildings Superintendent Matthew Olden informing the Town Board of a problem with furnace in the Emergency Squad portion of the Sodom Community Building (Scout Hall) and asking that the Town Board authorize the hiring of Mr. Steve Barilli to assist in determining the extent of the damage to the furnace.

COMMITTEE REPORTS:

OLD BUSINESS:

Supv. Goodspeed explained that the Town Board wished to get opinions from the public on the future of Town of Johnsbury involvement in the curbside collection of recycling and trash. Supv. Goodspeed explained that the low bidder on the trash collection was significantly higher than the previous bid. Supv. Goodspeed noted that the Town is seeing a savings of between thirty five to forty thousand dollars from ending the curbside recycling collection. Supv. Goodspeed said that Accounts Clerk Candace Lomax had attempted to get an estimate of savings to the Town taxpayers if the curbside collection was eliminated. This is made difficult as some individuals may decide to use private haulers who would deliver trash outside the Town and it is not known how many would decide to go that way. Accounts Clerk Lomax explained that the cost of the 2008 through 2010 contract was fifty-five thousand dollars annually and that the approximately six tons of waste which was delivered annually to the transfer station by Robert Lavergne cost about twenty-seven thousand dollars to deliver to the burn plant for an estimated savings of between fifty eight and eighty five thousand dollars depending on the utilization of private haulers. Mr. Arsenault asked the total annual cost of trash handling; Accounts Clerk Lomax answered that the cost was about two hundred twenty six thousand including personnel at the transfer station, hauling, tipping fees at the burn plant and repairs. Mr. Arsenault asked if there would be enough use of the transfer station to warrant its continued operation; Supv. Goodspeed suggested keeping the transfer station open and evaluate the usage after some time has elapsed. If there was a substantial reduction in use possibly cut back the hours of operation. Mrs. Margaret Prashaw asked about putting the entire cost of the trash removal into the town taxes; Supv. Goodspeed explained that part of the cost is currently in the property taxes and that placing the entire cost in the taxes would remove all costs from the renters.

Mr. Arsenault asked a representative of one of the private hauling companies if he expected enough business to warrant being in the area; the hauler replied that his company already collected trash up to Essex County. Mr. Paul Heid asked the private hauler about the large recycling variety versus the Town; the hauler replied that this created a larger recycling volume and although it added to sorting costs that it lowered the material going into the trash line which had a much larger cost. He added that it is expected that NYS is going to push counties and

towns over recycling. Sect. Cherie Ferguson asked to clarify that there was no sorting of items with the extensive recycling list; the hauler replied that this was correct. Mr. Vincent Schiavone asked if the hauler had an estimate of the number of customers he expects to gain; the hauler replied that he expected to gain between fifty to seventy percent of the residents. It was asked if the hauler collected larger items; he replied that he did with a separate truck and at a per item cost. The hauler said that it is expected that costs at the burn plant will rise following the expiration of the current contracts. Mr. Arsenault asked the hauler if his company's prices were stable; the hauler replied that the prices had been the same for three years. Mrs. Cherie Hayes asked if bags were required for recycling; the hauler replied that they are not required or necessary and added that there are no specific bag requirements for trash either. Mrs. Judy Brown said that it seemed that the private hauler option would remove a lot of recyclables from the trash stream. Mr. Arsenault complained of the lack of leadership from NYS in providing benefits from recycling.

Sect. Ferguson said that there are about 2700 parcel owners to be notified. Supv. Goodspeed suggested placing a notice in the North Creek News-Enterprise; Mr. Vanselow said that there was a need to notify the renters as well as the property owners.

Supv. Goodspeed said that he hoped that the Town Board would make a decision tonight as it would allow time to publicize the decision. Mr. Vanselow said that there did not appear to be a lot of opposition. Supv. Goodspeed said that the current system is not working. Mr. David Bulmer asked if the contract can be extended on a month to month basis; Supv. Goodspeed said that he did not believe that the contract can be extended indefinitely. Mr. Stevens said that the Town Board needs to decide on accepting a bid or ending garbage collection by rejecting the bids.

RESOLUTION NO. 129

Supv. Goodspeed presented the following resolution and moved its passage with a second from Mr. Vanselow that the Town Board of the Town of Johnsburg rejects all bids for the Garbage Collection Bid opened on June 1, 2010 and further, by rejecting all bids for garbage collection that the Town Board concludes its operation of municipally funded garbage collection by July 31, 2010; and further, that the Town Board will seek to provide as much appropriate education as possible regarding the ending of this service. With 5 members voting in favor the resolution is declared carried. Ayes-5 (Arsenault, Morehouse, Stevens, Vanselow, Goodspeed) Nays - 0

Supv. Goodspeed reminded the Town Board that the Kellogg (Waddell) property currently owned by the Open Space Institute (OSI) which is ready to move forward with the transfer of the Kellogg (Waddell) property to Warren County and that there is a Riverfront grant of \$190,000.00 available and the match could be made up in large part from the worth of the buildings, leaving about \$40,000.00 to be made up in work. Supv. Goodspeed added that the Warren County Board of Supervisors is not interested at accepting the property at this time and that at the April 20, 2010 Town Board meeting that the possibility of the Town of Johnsburg receiving title to the property was discussed. During that discussion, questions were raised about off-setting the costs of continuing maintenance with non taxpayer funds. Supv. Goodspeed explained that he had looked for a revenue stream to supply maintenance funding for the building Barton Mines Corp. has offered to pay to be able to use space in one or two of the buildings for garnet storage. Barton Mines would install an additional interior door for security and underwrite maintenance to a cap of \$2000 per year. Barton Mines Corp. would also rent the space for a time period from mid-November to mid-April on a flexible time frame. Supv. Goodspeed proposes that the rental

payment be placed in a dedicated account to be used for building up-keep. Supv. Goodspeed has confirmed that the OSI will allow this use of the property as the funds obtained will be used to preserve the buildings. In the future, OSI wants to convey the property to the north including Sullivan's Island to the Town. Mr. Morehouse asked if the contract would be annual or on-going; Supv. Goodspeed replied that the contract must be an annual one. The rental payment would be about \$800/per month for 6 months plus the up to \$2000 maintenance annually. Mr. Arsenault asked if the funds would go to the Kellogg (Waddell) property or to the Sullivan Island property as well; Supv. Goodspeed replied that he would leave that decision up to the Town Board. Mr. Vanselow said that he was worried that Warren County would change its mind to accept the property. Mr. Stevens expressed his worry about the Town not being able to dispose of the property if it was too expensive to keep.

RESOLUTION NO. 130

Mr. Vanselow presented the following resolution and moved its passage with a second from Mr. Arsenault that the Town Board approved in general to move forward with the process of the Town of Johnsbury accepting title to the Kellogg (Waddell) property in the hamlet of North Creek from the Open Space Institute. With 4 members voting in favor the resolution is declared carried. Ayes-4 (Arsenault, Morehouse, Vanselow, Goodspeed) Nays – 1 (Stevens)

Supv. Goodspeed informed the Town Board of recommendations for hire by the Youth Committee for the positions of Water Safety Instructor, Assistant Instructor and Tennis Instructor. Secretary Cherie Ferguson added that there were no additional applicants.

RESOLUTION NO. 131

Mr. Arsenault presented the following resolution and moved its passage with a second from Mr. Stevens that the Town Board accepts the recommendations of the Johnsbury Youth Committee and authorizes the hiring of Lindsay Yandon as Water Safety Instructor; Susan Hayden as Recreational Specialist; Noah Dingman as Tennis Instructor. 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 had received a \$500.00 grant from Warren County to fund the salary payment of the Tennis Instructor position.

Youth Committee member Mrs. Cherie Hayes asked if Noah Dingman would be paid for both positions as a counselor and as a Tennis Instructor; he would not be paid for both positions for the same hours worked.

Mrs. Hayes asked if it was understood that if Summer Youth Program Director Ann Dingman did not teach water safety that she would lose her certification and added that she did not believe that Director Dingman and Assistant Director Phil Goodman had been consulted on this question.

Supv. Goodspeed asked Youth Committee Chairman Vince Schiavone for the background on this question. Mr. Schiavone explained that Director Dingman had been consulted about the position being created and that the Youth Committee believed that Director Dingman did not possess the necessary certifications. Mr. Schiavone noted that Director Dingman and Assistant Director Goodman were valuable assets to the Summer Youth Program; he added that new programs can cause confusion and apologized for any hurt feelings. Mr. Schiavone explained that one of the hires would not be able to work the fifth week and he will begin checking tomorrow to see if either Director Dingman or Deputy Director Goodman can

fill-in. He asked that the Town Board give the program a chance to develop and added that he would be personally involved. Mrs. Hayes said that the program should be beneficial and that her concern was about Director Dingman leaving the Summer Youth Program. Mr. Schiavone said that he expected all will work out well.

Supv. Goodspeed asked the open day attendance; Mrs. Hayes said that it was pretty good considering the heat. Mrs. Hayes added that there had been a problem with the water fountain; Secretary Cherie Ferguson replied that ORDA building maintenance would be there tomorrow to correct the problem.

Supv. Goodspeed reminded the Town Board that at the June 1, 2010 Town Board meeting Mr. Neil Shaw had requested by letter that he be allowed to purchase from the Town a small strip of property to the north and west of the Town Hall parking lot which adjoins his property so as to make some improvements to the property. Secretary Cherie Ferguson said that there were questions of the road abandonment. Mr. James Jones said that he believed that the water main runs down the driveway on the property. Supv. Goodspeed asked that Town Attorney Jordan check into the abandonment of the road and the question of the placement of the water main.

Supv. Goodspeed asked Accounts Clerk Candice Lomax to explain about the N.Y.S. Retirement resolution change. She explained that N.Y.S. Retirement wanted the specific names of the officials; a portion of their Social Security number and the length of their term to be included in the resolution and had provided a format; N.Y.S. Retirement representatives have indicated that the resolution with wordings that had been accepted last year would not be acceptable this year. Accounts Clerk Candice Lomax said that she was asking that the Town Board approve of the resolution in the new format. Mr. Stevens asked if this was the only document needing to be moved on at this time; Supv. Goodspeed replied that it was.

RESOLUTION NO. 132

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

Standard Work Day and Reporting Resolution

BE IT RESOLVED, that the Town of Johnsbury hereby establishes the following as standard work days for elected and appointed officials and will report the following days worked to the New York State and Local Employees' Retirement System based on the record of activities maintained and submitted by these officials to the clerk of this body:

Title	Name	Social Security Number (Last 4 digits)	Registration Number	Standard Work Day (Hrs/day)	Term Begins/Ends	Participates in Employer's Time Keeping System (Y/N)	Days/Month (based on Record of Activities)
Elected Officials							
Supervisor	Sterling Goodspeed	7550	9658879	6 hrs/day	01/01/2010-12/31/2011	N	20
Town Clerk	William E Rawson	4228	41021569	7 hrs/day	01/01/2010-12/31/2011	N	20-in 2-pay period months 30-in 3 pay period months
Board Member	Eugene Arsenault	8732	34901548	6 hrs/day	01/01/2008-01/01/2011	N	10.83
Board Member	Arnold Stevens	7405	37209111	6 hrs/day	01/01/2010-12/31/2013	N	10.83
Board Member	Frank Morehouse	9317	37818762	6 hrs/day	01/01/2008-12/31/2011	N	10.83
Highway Superintendent	Daniel Hitchcock	3456	43034602	8 hrs/day	01/01/2010-12/31/2011	N	20
Appointed Officials							
Airline Control Officer	William Mosher	1913	41569500	6 hrs/day	02/02/2010-12/31/2010	N	.53

On this 6th day of July, 2010

William E Rawson
(Signature of clerk)

Date enacted: July 6, 2010

I, William E. Rawson, clerk of the governing board of the Town of Johnsbury, of

the State of New York, do hereby certify that I have compared the foregoing with the original resolution passed by such board, at a legally convened meeting held on the 6 day of July, 2010 on file as part of the minutes of such meeting, and that same is a true copy thereof and the whole of such original.

I further certify that the full board, consists of 5 members, and that 5 of such members were present at such meeting and that 5 of such members voted in favor of the above resolution.

IN WITNESS WHEREOF, I have hereunto Set my hand and the seal of the

Town of Johnsbury
(Name of Employer)



(Seal)

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

Supv. Goodspeed recognized Mr. Mac Crikelair for an up-date on the Front Street Mountain Development Project. Mr. Crikelair said that his company was moving forward on water and wastewater issues; he expects to have movement on the project prior to July 20 Town Board meeting. Mr. Crikelair said he expects a draft report on wastewater to be submitted tomorrow at a meeting between Front Street Mountain Development and the Army Corps of Engineers. According to Mr. Crikelair, Front Street Mountain Development is finalizing plans on a 10,000 gallon per day treatment facility to satisfy the requirements of the Ski Hut and Phase 1A Residential; he added that the sole purpose of the hold and haul system is to allow construction

to begin on the next building. Mr. Vanselow asked if the paperwork for the transportation corporation has been started; Mr. Crikelair replied that the paperwork has been started, but not yet filed.

Supv. Goodspeed informed the Town Board that work was still ongoing in attempts to find locations for cell tower sites which would allow coverage for the entire hamlet of North Creek and which would also be acceptable to the Adirondack Park Agency. The cell phone company believes that it has found a highly successful site in Wevertown to allow coverage outside of North Creek and added that the APA was happier with this site. Mr. Mac Crikelair explained that at one point Front Street Mountain Development was well along with a cell tower site on property belonging to Front Street Mountain Development and his company would still be open to the use of its property for that purpose. Supv. Goodspeed said that there was a question of the coverage of the entire hamlet from that property.

Supv. Goodspeed reminded the Town Board members that they had passed Resolution 176 of 2009 at the September 22, 2009 Town Board meeting in conceptual support of the Upper Hudson Rail Trail proposal. Mr. Carl Austin presented a conceptual plan to change the railroad tracks to bike trails about the hamlet of North Creek. Supv. Goodspeed informed the Town Board members that the proposal may be more complicated than originally supposed. Some North River residents are not happy with the bike trail plan. Mr. Arsenault asked the basis of the homeowners' objections; Supv. Goodspeed replied that there were questions of noise and commotion. Mrs. Judy Brown added that privacy was an issue. Supv. Goodspeed said that some homeowners would have bikes within fifteen feet of their homes. Mrs. Kate Nightingale said that she would rather have the train as it runs on a regular schedule and that the bike trail allows access for the bicyclists to trespass on her property. Mr. Arsenault said the withdrawal of support by the Town Board would probably end the project. Mr. Vanselow said that he has heard the same speaker, Mr. Carl Austin, who had made the presentation to the Town Board and has asked Mr. Austin about the possibility of commercial use being resumed by the Barton Mines Corporation and Mr. Austin replied that Barton Mines Corp. was not seriously interested in using the rails in such a way. Mr. Vanselow added that he has spoken to Mr. Barton about the possibility of using the railroad to move product and Mr. Barton had replied that the company was very interested in using the train tracks for that purpose; Mr. Vanselow added that he was uncomfortable with the different versions of the Barton Mines Corp. intentions. Mr. David Bulmer said that the Town may have been better off not passing the resolution of support. Mr. Morehouse said that as Barton Mines Corp. owns the property along the rail for the first two miles above North Creek that may kill the project. Mr. Paul Heid said that if the Rails to Trails group was interested it would be very difficult to stop their plan. Supv. Goodspeed said that he would write a letter to Upper Hudson Rail Trail explaining the level of support for the resolution.

NEW BUSINESS

Supv. Goodspeed informed the Town Board that the Johnsburg Library Board of Trustees is requesting permission to remove a tree which is in the way of the new rear entrance to the library. The tree is in the way of the handicapped entrance. Supv. Goodspeed asked if the Town Board would allow the removal of the tree

RESOLUTION NO. 133

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

Mr. Arsenault that the Town Board authorize the removal of the tree which hangs over the walkway at the new rear entry to the Town of Johnsbury Library at the request of the Library Board of Trustees. With 5 members voting in favor the resolution is declared carried. Ayes-5 (Arsenault, Morehouse, Stevens, Vanselow, Goodspeed) Nays - 0

Supv. Goodspeed recognized Mrs. Judy Brown to explain that Barton Mines Corporation has agreed to place a garnet rock in the Ski Bowl Park between the Ski Hut (old pavilion) and the new pavilion. The site would need some preparation and a few loads of cobblestone; she asked that the Town Board allow the Town Highway crew to move the cobblestone and dig down about six inches to allow leveling. Mr. Morehouse suggested that the Town should have cobblestone as a by-product from sifting sand. Mr. Stevens asked if the Ski Bowl Park Committee had been notified of the plan. Mrs. Brown said that the committee had agreed to this part of the plan. Mr. Paul Heid suggested the possibility of liability as a result of a fall.

RESOLUTION NO. 134

Mr. Arsenault presented the following resolution and moved its passage with a second from Mr. Morehouse that the Town Board authorize the Town Highway crew to move the cobblestone and dig down about six inches to allow leveling for the placement of an approximately five ton garnet rock in the Ski Bowl Park between the Ski Hut (old pavilion) and the new pavilion; and further, that the Town Highway Department is authorized to supply the cobblestone if any is available from the Highway sand sifting operations. With 5 members voting in favor the resolution is declared carried. Ayes-5 (Arsenault, Morehouse, Stevens, Vanselow, Goodspeed) Nays - 0

Supv. Goodspeed reminded the Town Board that a letter from Parks and Buildings Superintendent Matthew Olden noting a problem with the furnace in the Emergency Squad portion of the Sodom Community Building (Scout Hall). Parks and Buildings Supt. Olden has asked for the Town Board to authorize him to hire Mr. Steve Barilli (Barilli Heating Service) to assist him in removing the furnace and inspecting the furnace to determine the extent of the damage and estimate the cost of repair or replacement. Mr. Vanselow asked if the Emergency Squad portion of the Sodom Community Building (Scout Hall) had its own separate heating system; Supv. Goodspeed replied that it did. Mr. Vanselow asked if the Town was obligated to replace the heating system in the Emergency Squad portion of the Sodom Community Building. Secretary Cherie Ferguson said that the Town was obligated to provide housing and that usually the burden for a heating system is on the building owner; she said that she would check the contract. Mr. Stevens asked if there was any possibility of insurance paying for a portion of the cost; Sect. Ferguson replied that the Town had billed the Emergency Squad for damage due to improper backing and this may be a continuation of the damage due to that action. Supv. Goodspeed suggested that there may be an issue of timely notice to the insurance company. Mr. James Lomax suggested using the furnace from the older (red) pavilion to replace that at the Sodom Community Building (Scout Hall). Supv. Goodspeed asked if the Town Board would approve hiring Mr. Steve Barilli to assist Parks and Buildings Supt. Olden in dismantling the furnace to assess the damage.

RESOLUTION NO. 135

Mr. Arsenault presented the following resolution and moved its passage with a second from Mr. Stevens that the Town Board authorizes the hiring Mr. Steve Barilli (Barilli Heating Service) to assist Parks and Buildings Supt. Matthew Olden in dismantling the furnace in the Emergency

Squad portion of the Sodom Community Building (Scout Hall) to assess the damage. 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 Town Board had received copies of proposed 2010 Budget amendments in their packets; these are to show the current status of Capital Projects Funds. Supv. Goodspeed asked that the Town Board approve these amendments to the 2010 Town Budget.

RESOLUTION NO. 136

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

6-15-2010 Status of Projects, Johnsbury Capital Projects Fund

TOTAL	Appropriations	594107		Anticipated Revenues	547253
				Appropriated Fund Balance	36218.22 =*
				Unfunded Amounts	12000
				Capital Projects Fund Balance	97478.23
				Unallocated Balance	49260.01
SkiBowl Park	Total Appropriations	103075.6 *		Total Revenues	103075.6
	Admin. Fees	3886.66		SkiBowl Rec. Grant	57910
	Tennis Courts	3098.93		Inkind/Volunteer	17900
	Adven. Playground	51000		Approp. Bal.	15265.59 *
	Trails	5490		Unfunded Amount	12000
	Skateboard Equip.	22100			
	Dock	17500			
Big Dig		-1364.2		Unfunded Amount	1364.2
Butterfly Garden		529.24 *		Appropriated Balance	529.24 *
Wevertown Community Center		6692 *		Approp. Bal.	6692 *
Property Revaluation		10222 *		Approp. Bal.	10222 *
Landfill Closure		617		Approp. Bal.	617 *
Special Recreation Fees		2892.39 *			2892.39 *
1st Wilderness Heritage Implementation		471443 *		FWH Grant 1	57469
1st Wilderness Heritage Connection				FWH Grant 2	413974

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 monthly report of the Animal Control Officer, William Mosher, for the month of June 2010, was in the Town Board members' packets

Supv. Goodspeed noted that there was no monthly report from Zoning Enforcement Officer, Christopher May, for the month of June 2010; he noted that the Town Board should accept the letter of resignation from Zoning Enforcement Officer, Christopher May read during the Correspondence portion of the meeting.

RESOLUTION NO. 137

Mr. Vanselow presented the following resolution and moved its passage with a second from Mr. Arsenault that the Town Board accepts the resignation of Mr. Christopher May from the position of Zoning Enforcement Officer. 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 two individuals whose letters of interest were read earlier in the meeting will be scheduled for interviews prior to the next Town Board meeting.

Supv. Goodspeed distributed the Supervisor's Monthly Report, for the month of June 2010, to the members of the Town of Johnsbury Town Board.

Supv. Goodspeed explained that the Summer Youth Program had asked permission to paint box ball lines on the floor of the beach pavilion; he asked if the Town Board would permit this to be done.

RESOLUTION NO. 138

Mr. Arsenault presented the following resolution and moved its passage with a second from Mr. Stevens that the Town Board will allow the Summer Youth Program to paint box ball lines on the floor of the beach pavilion. 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 he had received a complaint about twenty or more bags of garbage at a residence in the hamlet of Wevertown; he added that he has referred this matter to the Health Officer, Dr. John Ruge and expects to have a report by the next Town Board meeting. Mr. David Bulmer asked what authority the health officer had; Supv. Goodspeed replied that he could order a removal of the trash or a general cleanup of the property. Mr. Bulmer asked if the cleanup would be done by the Town; Supv. Goodspeed replied that possibly it would be done by Town employees and if so the costs would be billed to the property owner and if the bill remained unpaid the cost would be added to the property tax bill.

Supv. Goodspeed informed the Town Board that the water in the swimming area at the beach in the Ski Bowl Park (Jacques Grunblatt Memorial Beach) had been tested and was within acceptable limits; he added that according the NYS Department of Health that annual testing of the Town beach is not required.

PRIVILEGE OF THE FLOOR

Mr. Paul Heid noted that according to specifications he had researched that one hundred gallons of fresh water per person are required daily to assure clean water for swimming. Mr. Vanselow said that the intake for the feeder pipe seems to be in the stream and that scrap pipe is being stored on site. Mr. Paul Heid said that according to the plans presented by Mr. Robert Nettle and approved by the Department of Environmental Conservation the intake is not to be in

the stream; he added that the intake is supplying sediment and that the pipeline is a failure. Mr. Paul Heid said that the water line is not raising the water level by a significant amount. Mr. Peter Heid read a portion of Town Board Resolution Number 186 of 2009 granting permission to move forward with the pipeline according to plan; he said that the project does not match the approved plan. Supv. Goodspeed said that an explanation will need to be requested of Mr. Nettle; Mr. Paul Heid said that he wants this item on the agenda for the next meeting. Supv. Goodspeed said that he may have a problem with the date of the next Town Board meeting and the day of the meeting may need to be changed. Mr. Peter Heid asked about firewood created by the project; Mr. Vanselow said that Mr. Nettle had said that there was no salvageable wood. Mr. Peter Heid said that he saw firewood size wood at the project site. Mr. Stephen Hayes said that there was an open pit at the site and that this could be a hazard with the Summer Youth Program being conducted near the site; Supv. Goodspeed replied that he would send Parks and Buildings Superintendent Matthew Olden to check the site for an open pit and possible barrier.

Mr. Peter Heid asked for an update on the report which he and his brother had made regarding a person allowing their dog on the beach and in the swimming area. Supv. Goodspeed replied that the owner's name has not been discovered; when the owner is known a warning will be issued. Mr. Peter Heid said that there were dogs on the beach this weekend.

Secretary Cherie Ferguson asked if the Town Board wished to act upon the contract received from the Glens Falls Animal Hospital for the boarding of seized animals under town and state codes; Supv. Goodspeed said that it should be forwarded to the Town Attorney for review. Mr. Vanselow said that he would like to look it over.

Secretary Cherie Ferguson explained that there has been a problem with the computer servers for the Town website and she has not been able to post to the site due to this problem. Supv. Goodspeed asked if there was a timetable for the service to be restored; Sect. Ferguson replied that there was not as of yet.

Mr. Stephen Hayes asked to what supervisor the lifeguard reports; Supv. Goodspeed replied that the lifeguards answer to the Town Board and that the lifeguard needs to be onsite when the beach is open. Supv. Goodspeed said that a question had arisen regarding the lifeguard being on duty during rain and explained that if it was a shower that the lifeguard should wait it out, but if it was expected to be an all day rain that the beach should be closed. Supv. Goodspeed added that the decision as to the question of closing due to rain was at the discretion of the lifeguard. Mr. Peter Heid said that the hours of the beach need to be posted. Mr. Peter Heid also said that the wooden slide near the beach is in poor condition and may be dangerous. Supv. Goodspeed said that he would ask Parks and Buildings Superintendent Matthew Olden to check it out.

Mr. Don Filkins of Wevertown asked that the Town Board request a speed limit reduction on State Route 8 from the traffic light in the hamlet of Wevertown west to the hamlet of Johnsbury as the current speed of traffic presents a danger to children playing near the road and that there were retired people near the road as well. Mr. Stevens noted that log trucks try to keep their speed up to make the hill going west toward Johnsbury.

RESOLUTION NO. 139

Mr. Arsenault presented the following resolution and moved its passage with a second from Mr. Stevens that the Town Board of the Town of Johnsbury authorizes the Town Supervisor and/or Town Clerk to sign all necessary documents to initiate a request for a reduction of the speed limit on State Route 8 from the traffic light in the hamlet of Wevertown west to the hamlet of Johnsbury as the current speed of traffic presents a danger to children playing near the road. 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 Upper Hudson River Railroad is trying to obtain enough passenger cars to provide transportation for the Race the Train participants and spectators as well as its commitment to a southern run on the same day.

RESOLUTION NO. 140

Mr. Arsenault presented the following resolution and moved its passage with a second from Mr. Stevens that the following certified bills which have been reviewed by the board members be paid: General Fund- Warrant #12G/Claims #254-275; Highway Fund- Warrant #12H/Claims #140-154; North Creek Water Dist.- Warrant #12W/Claims #46-48; Capital Projects Fund- Warrant #5CPF/Claim #7. 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. Arsenault with a second from Mr. Morehouse at 9:45pm. 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 scheduled at 7:00pm on July 20, 2010, will be held at 7:00pm on July 27, 2010 at the Town Hall (Library), North Creek, NY. The Town board will interview candidates for the position of Zoning Enforcement Officer in executive session prior to the meeting beginning at 6:30 pm.

Prepared by William Rawson, Town Clerk