

**Minutes of the Town of Johnsburg Regular Board Meeting July 2, 2013
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, July 2, 2013 at 7:00PM at the Wevertown Community Center, Wevertown, NY. Supervisor Vanselow called the meeting to order at 7:00pm and the pledge to the flag was led by Supervisor Vanselow.

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

Guests: On attached list

RESOLUTION NO. 103

Ms. Nightingale presented the following resolution and moved its passage with a second from Mr. Arsenault to accept the minutes of the June 18, 2013 regular Town Board Meeting as written. With 5 members voting in favor, the resolution is declared carried. Ayes-5 (Arsenault, Nightingale, Olesheski, Stevens, Vanselow) Nays - 0

CORRESPONDENCE:

None

COMMITTEE REPORTS:

Ms. Nightingale said that as a member of the Buildings, Park & Recreation Committee she had met with Mrs. Kelly Nettle of the Ski Bowl Park Committee and representatives of the North Country Hardship Fund, Inc and the Upper Hudson Bluegrass Festival to discuss future layouts of their annual festivals in the Ski Bowl Park so as to accommodate both the groups and the public taking into account the planned park upgrades; Ms. Nightingale said that she believed that the discussions went well. Supervisor Vanselow added that he had attended the meeting as well and agreed with Ms. Nightingale.

Supervisor Vanselow said that he was concerned that ORDA had not moved the boulders barring the way of the delivery of the Upper Hudson Bluegrass Festival stage for use during the Independence Day Celebration. Supervisor Vanselow said that he would speak to Highway Superintendent Daniel Hitchcock to get some fill in the washed out area near the park entrance and also to move the rocks.

OLD BUSINESS:

Supervisor Vanselow reminded the Town Board that since shortly after the Local Land Use Plan was adopted in 2007 there have been problems with the plan which were pointed out by the Town of Johnsburg Planning Board. Supervisor Vanselow reported that Adirondack Park Agency (APA) Local Government Assistance Specialist Brian Grisi had come to Town Hall and brought suggested language for four possible changes to the Land Use Plan. Supervisor Vanselow outlined the four areas for possible change.

The first possible change was the lack of a simple boundary line adjustment mechanism and that lack results in the loss of time, taking up to two months and creating costs to both the party requesting as well as the Town. Supervisor Vanselow said that the

suggested language changes are coming from the APA and this should ease the passage of the changes through the APA.

The second possible change is the method of calculating lot size and density. The current calculation removes the wetlands area from the total property prior to calculating the possibility of subdividing a parcel and Supervisor Vanselow suggested that he believes that the mere presence of wetlands should not necessarily remove the ability to subdivide. Mr. Olesheski asked the reasoning behind that change. Supervisor Vanselow said that the wetlands may not interfere with the ability to build if the wetlands are not in the area where the construction would occur. Mr. Olesheski asked where the language in the Local Land Use Plan came from. Supervisor Vanselow replied that it was from Dr. Lamb during the writing of the Local Land Use Plan. Mr. Olesheski asked if the APA had any questions regarding this issue. Supervisor Vanselow said that the APA had provided this change and apparently had no problems with this; he added that a couple of years ago that Supervisor Goodspeed had spoken to the APA about this change and the agency would not budge on allowing the change and that now the agency seems to have changed its collective minds. Supervisor Vanselow added that the Town of Chester had been allowed to make this change in their Local Land Use Plan.

The third possible change is that a developer is now required to provide twelve large maps for the Planning Board of a proposed project and the Planning Board would like that number reduced to three large maps. The Planning Board does not believe that it is necessary for each member to receive a large map as it is cumbersome and also an expense to the developer.

The fourth possible change is the definition of a lot; this currently states that if a Town, County or State road runs through a parcel that it could create an additional lot. The downside to this definition is that it could allow creation of numerous substandard lots. Supervisor Vanselow said that Warren County Real Property and the APA are not in favor of the current wording and would like an amendment.

Supervisor Vanselow said that in the Councilmen's packet is a portion of a letter from Town Attorney laying out the procedure for instituting the changes; Mr. Grisi has told him that the procedure is basically correct. Supervisor Vanselow is proposing that the Town put together a full environmental assessment and declare the Town as the lead agency and move forward with a SEQR and APA review. Supervisor Vanselow said that Mr. Grisi had said that the earliest time frame for completion would be October or November of this year. Supervisor Vanselow asked if the Town Board was opposed to moving forward in the process to institute the changes. Mr. Olesheski said that he was not opposed to moving forward to a place to gather public input; he added that the only change he is somewhat worried about is the density calculation change as a result of his environmental background and he wondered why the APA no longer opposed the change. Ms. Nightingale said that she believed that Mr. Olesheski misunderstood the change which would restrict the ability to subdivide more than the previous regulations had. Mr. Olesheski said that he was not in favor of creating additional smaller lots.

Supervisor Vanselow said that it was very noticeable that the cemeteries had gotten looking pretty shaggy and that within one week of the Memorial Day mowing that the cemeteries had begun to look shaggy as it is a good year for growing grass. Supervisor Vanselow said that he has received a message from Mr. John Helms that he would be

willing to do a third mowing in about one week at the same rate as the two in the bid (\$3487.50 per mowing). Mr. Olesheski asked how much money was in the budget line for the Cemetery mowing. Supervisor Vanselow said that he had put in \$10,000.00 for the mowing and that some additional funds would be needed. Mr. Olesheski asked about the possibility of any additional mowings. Supervisor Vanselow said that there was the one other mowing which was in the bid for the Labor Day period and that if the Town Board wished to do another mowing that the Town Board would need to find the funding. Supervisor Vanselow asked if the Town Board wished to authorize a third mowing. Supervisor Vanselow said that he believed that the budget line for Cemetery Mowing for 2014 should be set to handle three mowings.

RESOLUTION NO. 104

Mr. Stevens presented the following resolution, and moved its passage with a second from Mr. Olesheski, to authorize the Town Supervisor to obtain verbal quotes and to move forward with hiring of Mr. John Helms to provide a third mowing of all thirteen Town of Johnsbury cemeteries at the same amount per mowing (\$3487.50) of the bid for the other two cemetery mowings for 2013. With 5 members voting in favor, the resolution is declared carried. Ayes-5 (Arsenault, Nightingale, Olesheski, Stevens, Vanselow) Nays - 0

NEW BUSINESS:

Supervisor Vanselow said that he planned on closing the Town Hall offices on July 4 and July 5 if there was no opposition from the Town Board. Supervisor Vanselow said that he will be in on a limited basis on Friday, July 5 to handle trash ticket sales and pick up messages; he added that most Town offices would be closed on Friday in any case.

Supervisor Vanselow explained that during the recent flooding event caused by the heavy rainfall that he had declared a state of emergency on Friday, June 28, 2013 at 8:45am and the cancellation of the state of emergency on June 29, 2013 at 9:00am. Supervisor Vanselow asked that the Town Board retroactively ratify these actions and note the times specified for each of these actions. Supervisor Vanselow noted that he had polled the Town Board for authorization of emergency spending if necessary; no emergency spending was requested.

RESOLUTION NO. 105

Ms. Nightingale presented the following resolution and moved its passage with a second from Mr. Stevens that the Town Board of the Town of Johnsbury ratifies the following actions taken by Supervisor Vanselow in response to the recent flooding in the Town of Johnsbury and noted the times specified for the actions:

June 28, 2013

8:30am

**DECLARATION OF A STATE OF EMERGENCY FOR THE ENTIRE TOWN OF
JOHNSBURG, NEW YORK DUE TO HEAVY RAINS AND FLOODING**

June 29, 2013

9:00am

DECLARATION OF A STATE OF EMERGENCY FOR THE TOWN OF JOHNSBURG HAS BEEN CANCELLED

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

Mr. Arsenault asked for an update on the damage caused by the storm of last week and possible repairs. Supervisor Vanselow said that Federal Emergency Management Agency (FEMA) was to arrive today and go with Highway Superintendent Daniel Hitchcock to review the damage and he has not had a chance to speak with Highway Supt. Hitchcock since then.

Supervisor Vanselow said that he had gone on Saturday and Sunday to look at the damage on Barton Mines Road and the Rogers Road bridge. Highway Supt. Hitchcock has been working on Austin Pond Road and Glen Creek Road as well as portions of other Town roads. Supervisor Vanselow reported that Highway Supt. Hitchcock had said that the roads aren't pretty, but they're open.

Supervisor Vanselow said that Governor Cuomo had declared a state of emergency in thirteen counties including Warren. The FEMA threshold in NYS is \$24,000,000.00; the FEMA threshold in Warren County is \$274,000.00. Supervisor Vanselow said that one project in this Town will cover the Warren County threshold; Highway Supt. Hitchcock has sent him an email stating that it costs \$400,000.00 per mile to blacktop a road and to blacktop the entirety of Barton Mines Road would cost about \$2,000,000.00 in addition to rebuilding the road underneath the blacktop. Supervisor Vanselow said that he did not believe that the entire length of Barton Mines Road would need to be blacktopped.

Mr. Arsenault asked how the timing of the funding for road repair is expected to go. Supervisor Vanselow replied that FEMA is a reimbursement program and the Town will need to come up with the funds to make the repairs and then submit the reimbursement request to FEMA. Supervisor Vanselow said that Highway Supt. Hitchcock has said that he has some money in his budget, totaling about \$315,000.00, including some CHIP's funding that he had planned to use for work on River Road resurfacing, bridge work on Waddell Road and some additional major culvert repairs and some of his regular budget fund. According to Supervisor Vanselow Highway Supt. Hitchcock has said that he may divert those funds to repairing the damage caused by the downpours. Supervisor Vanselow said that Warren County Emergency Services Director Brian LaFlure has told him that there are short term infrastructure loans available with a payback time frame of about five years. Mr. Arsenault asked how we get our arms around that. Supervisor Vanselow replied that the Town needs to get estimates from FEMA, Warren County, and Cedarwood Engineering and then develop a plan with Highway Supt. Hitchcock. Mr. Arsenault asked if there was an estimate of the time to get the cost estimates.

Ms. Nightingale said that she feels strongly that the road repairs need to be done to a level to allow the roads to accommodate this amount of water. Supervisor Vanselow said that he spoke to Warren County Emergency Services Director Brian LaFlure about this in relation to the speech by Governor Cuomo about the need to set engineering standards to deal with climate change if the engineering has caught up with the latest "normal" weather. Supervisor Vanselow said that Warren County Emergency Services Director Brian LaFlure said that he was not sure if the engineering had changed yet. Supervisor

Vanselow said that if we continue to have these weather events that NYS should set up a transportation/climate change bond fund to help fund repair projects from weather events. Mr. Olesheski said that the limiting factor seems to be what FEMA will pay for. Mr. Olesheski added that he assumed that Supervisor Vanselow would keep the Town Board updated.

Supervisor Vanselow informed the Town Board that Cedarwood had sent out a request for quotes for work on the North Creek Water District water lines which dead end on River Road and Fairview Avenue. As a result of these dead ends the Water District customers on the ends of these lines have reported problems with rusty water. By connecting the dead ends with a loop it should remedy the problem. Mr. Arsenault asked how this project would be funded. Supervisor Vanselow replied that the project would be funded by the North Creek Water District revenues.

Mr. Arsenault asked about the grant requests for the safety issues of the underground work site and the water storage tank repairs and if these projects were completed. Supervisor Vanselow said that the water storage tank was painted and the leaks plugged; he added that the safety issue work which had been planned to be paid for by a grant as this would be a substantial cost and that prior to the awarding of those grant funds they were redirected to Hurricane Sandy relief. Supervisor Vanselow said that while he believed that the Hurricane Sandy relief was important, he misses the grant funds and added that he was unsure when or if further funding for such infrastructure projects would be released.

Supervisor Vanselow noted that the monthly report of the Animal Control Officer William Mosher for the month of June 2013 was in the Town Board members' packets.

Supervisor Vanselow noted that the monthly report of the Zoning Enforcement Officer, Danae Tucker, for the month of June 2013 was in the Town Board members' packets.

Supervisor Vanselow explained that the Supervisor's Monthly Report, for the month of June 2013 was not available at this time.

RESOLUTION NO. 106

Mr. Arsenault presented the following resolution and moved its passage with a second from Mr. Olesheski that the Town Board acknowledges that Claim #2013-575 shown in the warrant is an incorrect claim number created by the software and is a void; and further, that the following certified bills which have been reviewed by the board members be paid: General Fund- Claims #2013-553 and #2013-554 and #2013-556 through #2013-566 and #2013-576 and #2013-579 through # 2013-586 and #2013-590 and #2013-591 (\$24,625.82); Highway Fund- Claims #2013-553 and #2013-566 through #2013-569 and #2013-587 (\$15,537.59); North Creek Water Dist.- Claims #2013-554 and #2013-588 and #2013-589 (\$2,316.25); Library Fund- Claim #2013-553 (\$812.85); Capital Projects Funds Claims #2013-525* and #2013-570 through #2013-574 and #2013-593 (*2013-525 already paid-\$335.00 Warren County Clerk recording fees for property purchase NYS right of way) (\$5,661.75); and Trust and Agency Claim #2013-552* and #2013-555 and #2013-577 and #2013-578 and #2013-592 (*2013-552 already paid-\$117.00 First Rehabilitation Disability Ins.- 2013 Disability payment) (Total \$41,222.37). Total all

warrants \$90,176.63. With 5 members voting in favor, the resolution is declared carried. Ayes-5 (Arsenault, Nightingale, Olesheski, Stevens, Vanselow) Nays – 0

Supervisor Vanselow explained that he would ask that the Town Board move into executive session following the Privilege of the Floor; he added that there was a probability of Town Board action resulting from the executive session.

PRIVILEGE OF THE FLOOR

Mr. Robert Nettle asked if the reason for the executive session would be given. Supervisor Vanselow said that the reason would be stated when the Town Board was ready to move into the executive session.

Mrs. Kelly Nettle asked if the Town Board wished to discuss the Ski Bowl Park Committee meeting with representatives of the North Country Hardship Fund, Inc and the Upper Hudson Bluegrass Festival to discuss future layouts of their annual festivals in the Ski Bowl Park. Ms. Nightingale said that the meeting had been discussed during the Committee Reports portion of the meeting. Mr. Olesheski asked which issues were specifically discussed. Supervisor Vanselow said that there were discussions regarding the parking and the placement of the stage for the festivals.

Mrs. Kelly Nettle informed the Town Board that she had spoken to ORDA Manager Mike Pratt about the removal of the "No Trespassing" signs during the summer and reported that Manager Pratt seemed amenable to their removal during the summer. Mrs. Nettle said that she had spoken to Manager Pratt about sharing the Schafer Trail during ski season and that Manager Pratt was very negative about that issue. Mrs. Nettle said that Manager Pratt is very concerned about the snowplowing by the Town at the Ski Bowl Park which he sees as being both inadequate and not timely. Mrs. Nettle said that Manager Pratt said that he was willing to put in a new gate as well if the Town Board wished. Supervisor Vanselow asked if Manager Pratt was willing to move the rocks blocking access for the stage for the Independence Day Celebration. Mrs. Nettle said that she had not discussed that with Manager Pratt. Mrs. Nettle said that she had discussed moving rocks blocking access to the ski trails on the hill and that Manager Pratt did not want to have them moved as he was worried about ATV's on the hill causing damage. Mr. Olesheski said that the hill is the Town's not ORDA's. Mrs. Nettle agreed and added that ATV's on the hill causing damage was not a good thing.

Mr. Olesheski agreed with that, but added that there have been several issues with ORDA about the building and the park. Mr. Olesheski said that he wishes that he had been around when the Town gave up the park to ORDA; he added that he would like to revisit that agreement and Ms. Nightingale wanted to revisit the agreement as well. Mrs. Nettle said that the agreement was for twenty years. Supervisor Vanselow said that he has looked at the agreement and spoken to Highway Superintendent Daniel Hitchcock regarding the plowing which the Town is obligated to do. Supervisor Vanselow said that the plowing consists of two parts the Town road and the parking area; the Highway Department plows the road and the Parks Department plows the parking. Supervisor Vanselow said that Supt. Hitchcock has said that the Parks Department should plow the parking and he does not mind plowing the Town road to access the Ski Bowl Park, but the bus routes are the main priority for plowing. Supervisor Vanselow said that he agrees

with this and noted that ORDA has equipment to open the road if need be. Supervisor Vanselow said the agreement doesn't specify any time for the plowing to be done by. Mr. Arsenault said that he thought that there needs to be a discussion with all parties present to reach an understanding. Supervisor Vanselow said that Manager Pratt seems to be pretty easy-going about things. Supervisor Vanselow said that at a meeting between himself, Manager Pratt and Mr. Steve Ovitt about a bicycle trail location that Manager Pratt was willing to listen to Mr. Ovitt regarding the bike trail and possible erosion and how to control that issue. Supervisor Vanselow said that there are some issues regarding the park which need to be thoroughly discussed prior to the ski season.

Mr. Olesheski asked if Buildings Cleaner Dreu Briggs had said anything about the difficulty of cleaning the floor at the Ski Bowl Lodge. Supervisor Vanselow said that he had mentioned it regarding the difficulty of cleaning the rubber mat. Mr. Olesheski said that Mr. Briggs had said that a shop-vac would be the proper tool for the job. Supervisor Vanselow said that he would speak to Mr. Briggs when he returns from his trip to Oklahoma.

Mr. Olesheski said that a lot of people are talking about ATV use in the Ski Bowl Park; he believes that more enforcement is needed. Supervisor Vanselow said that he has not had a lot of time this week; but would like to research if the Town Board ever specifically said no ATV's in the Ski Bowl Park land. Supervisor Vanselow said that there are a couple of kids who zip from River Road to the parking area behind the Town Hall and down the Carol Thomas Trail and then to the Ski Bowl Park and tear up parking areas in the park. Mr. Olesheski is pretty sure that without a municipal ordinance authorizing the use of municipal property that it is not allowed under NYS law. Supervisor Vanselow said that he sees signs that say "No ATV Use by order of the Town Board". Mr. Olesheski said that the signs might reinforce the law, but it is a NYS law. Mr. Olesheski also said that if the ATV riders are coming the way Supervisor Vanselow described that they are breaking several laws to get to the Ski Bowl Park and break more laws by riding in the park. Supervisor Vanselow said that he was looking into purchasing "No ATV" signs. Mr. Stevens said that the proper wording used to be "No Motorized Vehicles". Mr. Olesheski would like to have some tickets written to help pay for the signs. Supervisor Vanselow said that he tried to chase the ATV's, but they were too fast for him to catch. Mrs. Kelly Nettle suggested setting a log across the roads to stop access. Supervisor Vanselow said that you need to be careful about obstacles if you know that people are using a trail; if the riders suddenly hit an obstacle you can be liable. Mr. Stevens agreed that if one or two individuals could be ticketed and prosecuted that would be the best method of advertising that the Town Board wanted the ATV use to stop. Supervisor Vanselow said that the advice is that it is the Conservation Department is more likely to issue tickets than the Sherriff's deputies. Mr. Olesheski said that a Sheriff Deputy should be able to issue tickets; the Town needs more cooperation from law enforcement.

Mr. Robert Nettle said that when discussions begin about Federal Emergency Management Agency (FEMA) and damage control the Town should think about the culvert in the ditch near the pump house at the Ski Bowl Park. Mr. Nettle said that a twenty inch culvert should be placed under the road to help with the runoff. Supervisor Vanselow said that he had spoken to Highway Superintendent Daniel Hitchcock about that area and Highway Supt. Hitchcock said that he had left that area untouched to show

FEMA the damage prior to any corrective action. Mr. Nettle said that the only way to solve this was to encapsulate the water. Supervisor Vanselow said that Highway Supt. Hitchcock had spoken to Warren County Soil and Water about a plan that that agency had to solve the issue. Mrs. Kelly Nettle remembered that then Supervisor Goodspeed had said that Warren County Soil and Water had designed a plan and it would cost about \$17,000.00 and discussion of the plan ended quickly after that. Mrs. Nettle said that she had asked Secretary Cherie Ferguson if there was a copy of the plan at Town Hall and Sect. Ferguson had replied that she did not know of any copy of that plan; Mrs. Nettle then said that she would ask Warren County Soil and Water about the plan. Mrs. Nettle asked department manager James Lieberum about the plan and he replied that he did not know of any such plan. Mrs. Nettle said that Highway Supt. Hitchcock is convinced that both prior district manager David Wicks and the current manager knew of the plan. Supervisor Vanselow said that he was worried about the discharge from a culvert as it could cause problems in the area of the former swimming pond. Mrs. Nettle said that she was speaking with the NYS Department of Transportation workers who were working on the State Route 28 ditching and they said that they would like to be able to help and they said that it would save some problems for them. Supervisor Vanselow said that Highway Supt. Hitchcock has been taking advantage of offers of help from other agencies and added that he has received calls offering assistance from our state and federal representatives, neighboring municipalities' officials and the NYS governors. Highway Supt. Hitchcock says that he believes that the reshaping of the land to create the tubing hill redirected the water flow into the drainage ditches; however, ORDA Manager Mike Pratt insists that the tubing hill does not create runoff problems for that area. Mr. Nettle said that he agreed with Manager Pratt that the tubing hill no longer presents a problem with runoff. Mrs. Nettle said that she spoke to Parks and Buildings Superintendent Matt Olden who had said that he believes that the construction of the tubing hill changed the drainage pattern and stopped the water from pooling above and releasing slowly instead of quickly. Supervisor Vanselow said that regardless of the origin of the water flow we need to solve the issue. Mrs. Nettle said that she would stop at Warren County Soil and Water to try to retrieve the plans if Supervisor Vanselow wished; he replied that he would appreciate that.

Mr. Robert Nettle said that he was going to be at the Ski Bowl Park tomorrow to do some work and that he would roll the rocks out of the way to allow access for the stage. Supervisor Vanselow thanked him for that.

Mr. James Jones said that he would discourage Highway Superintendent Daniel Hitchcock from diverting funds from one road (River Road) to fix another road (Barton Mines Road). Mr. Jones suggested that the Town get the damaged roads up to a passable condition and wait to see the level of funding from Federal Emergency Management Agency (FEMA). Supervisor Vanselow said that as FEMA is a reimbursement program that the Town will have to spend the funds to receive reimbursement from FEMA. Mr. Jones said that \$400,000.00 per mile seems to be a high figure; he added that he has built roads over a mile in length and never reached that level of cost. Supervisor Vanselow said that he would defer to Highway Supt. Hitchcock's expertise. Mrs. Kelly Nettle said that Highway Supt. Hitchcock had said last year that it would cost about \$300,000.00 per mile for paving. Supervisor Vanselow said that he was not sure of the exact amount, but that

the amount was referring to paving not chip seal.

Mr. Jones said that he was not impressed with chip seal as a road topcoat. Mr. Jones said that he was recently working on Hudson Street and there were already potholes in the surface. Mr. Stevens said that the surface on Hudson Street was blacktop not chip seal. Mr. Olesheski said that it was his understanding that there was another layer of material that was to have been put down; but Highway Supt. Hitchcock did not have the funds to finish it. Mr. Jones said that there just was not enough material there. Mr. Olesheski has said to him that he could not fix Hudson Street to the level that he wanted due to the funding, but it was substantially better than it had been. Mr. Olesheski added that according to Highway Supt. Hitchcock that he had planned to go back to Hudson Street, but other emergencies had intervened. Mr. Olesheski said that he is hoping that Highway Supt. Hitchcock will be able to get back to River Road later this year. Mr. Jones said that he would not spend money on blacktop for Barton Mines Road without fixing the runoff problems, which would require a major construction effort. Supervisor Vanselow said that at this point Highway Supt. Hitchcock was trying to get the road back to a passable one-lane road to allow emergency service vehicles access. Mr. Jones said that he understood the opening of the road, but did not want to see the Town in the same position as the county which spent \$2,000,000.00 on County Route 11 for which they did not receive reimbursement. Supervisor Vanselow said that the first thing to do was to get a FEMA assessment and a federal authorization; he added that the Town does need to repair the road in any case. Mr. Olesheski said that he believed that Highway Supt. Hitchcock planned to make Barton Mines Road passable at this time; he added that he was surprised that Highway Supt. Hitchcock had not needed any additional funding or authorization from the Town Board up to now.

Mrs. Kelly Nettle that a shuttle from the Saratoga-North Creek Railroad had dropped off two mothers with children at the Ski Bowl Park playground and that there were people playing tennis and three boys playing basketball as well.

Supervisor Vanselow asked that the Town Board enter into executive session to discuss the following issues: Bateman Road surplus property sale negotiations, Johnsbury Fire Protection District contract negotiations and a personnel issue relating to a Town employee. Supervisor Vanselow said that Town Board action was expected to result from the executive session.

Mr. Olesheski presented the following motion, with a second from Mr. Arsenault that the Town Board enters into executive session at 8:06pm, for the purpose of discussing the following issues: Bateman Road surplus property sale negotiations, Johnsbury Fire Protection District contract negotiations and a personnel issue relating to a Town employee. With 5 members voting in favor, the resolution is declared carried. Ayes-5 (Arsenault, Nightingale, Olesheski, Stevens, Vanselow) Nays – 0

Mr. Stevens presented the following motion, with a second from Ms. Nightingale to adjourn the executive session for the purpose of discussing the following issues: Bateman Road surplus property sale negotiations, Johnsbury Fire Protection District contract negotiations and a personnel issue relating to a Town employee, and further, to reenter the

regular session at 9:01pm. With 5 members voting in favor, the resolution is declared carried. Ayes-5 (Arsenault, Nightingale, Olesheski, Stevens, Vanselow) Nays – 0

Supervisor Vanselow asked if there was a resolution to be presented regarding the appointment of an interim Town Assessor.

Mr. Olesheski presented the following resolution and moved its passage that Christian Holt be appointed interim Assessor for the Town of Johnsbury through September 30, 2013, and further, that there will be no change in pay rate, and further, an adjustment to work hours as deemed necessary by Supervisor Vanselow and further, no benefits to be offered until he is appointed Sole Assessor for a full term.

Supervisor Vanselow asked for a second to this resolution; there was no second. Mr. Olesheski urged the Town Board to pass this resolution noting that it could be modified. Supervisor Vanselow asked if there was a different resolution to be presented.

RESOLUTION NO. 107

Mr. Stevens presented the following resolution and moved its passage with a second from Ms. Nightingale Christian Holt be appointed interim Assessor for the Town of Johnsbury through September 30, 2013, and further, that there will be no change in pay rate; and further, an adjustment to work hours as deemed necessary by Supervisor Vanselow and further, that benefits to be offered at this time. With 4 members voting in favor, the resolution is declared carried. Ayes-4 (Arsenault, Nightingale, Stevens, Vanselow) Nays – 1 (Olesheski)

A motion to adjourn the meeting was presented by Mr. Stevens with a second from Mr. Arsenault at 9:03pm. With 5 members voting in favor the resolution is declared carried. Ayes-5 (Arsenault, Nightingale, Olesheski, Stevens, Vanselow) Nays - 0

The next regular Town Board meeting will be held at 7:00pm on July 16, 2013 at the Tannery Pond Community Center, North Creek, NY.

Prepared by William Rawson, Town Clerk