

**Minutes of the Town of Johnsburg Regular Board Meeting of February 6, 2007  
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 February 6, 2007 at 7:00 pm at the Wevertown Community Center, Wevertown, NY Supervisor Thomas called the meeting to order at 7:00pm and the pledge to the flag was led by Councilperson Arnold Stevens.

Roll call showed the following persons present: Supv. William H. Thomas; Town Councilpersons/ Eugene Arsenault, Sterling Goodspeed, Arnold Stevens, and Alyce VanKeuren; Town Clerk/ William Rawson.

Guests: On attached list

**RESOLUTION NO. 46**

Mr. Stevens made a motion, with a second from Mr. Goodspeed to accept the minutes of the January 2, 2007 Public Hearing on the proposed Local Law #1 of 2007; January 16, 2007 Public Hearing on the proposed Fee Structure for the Town of Johnsburg Planning Board and Zoning Board of Appeals and the January 16, 2007 Regular Town Board Meeting as written. With all members voting in favor the resolution is declared carried. Ayes-5 (Arsenault, Goodspeed, Stevens, VanKeuren, Thomas) Nays - 0

**CORRESPONDENCE:**

Letters from Roger Thomas, Nan & Will Clarkson, Alison Clarkson & Oliver Goodenough, Robert Nettle, Herbert Hudnut, William Hudnut, Stewart Hudnut, Tom Hudnut, Tom Forrest, Patrick Cunningham, McPhillips Agency (Attny for Patrick Cunningham), Andrew Clarkson, and Robert Bischoff to be included in the written commentary for the Public Hearing on the Land Use Program (Local Laws #1-#4 Of 2006).

A letter from Art & Kris Perryman was read which was in favor of Local Law #1 of 2007 to allow the town to be able to pass legal and engineering costs incurred by the town as a result of action by developers to those developers.

**COMMITTEE REPORTS:**

**OLD BUSINESS:**

Supv. Thomas announced that the comment period for the Public Hearing on Local Laws #1 through 4 of 2006 was closed as of January 31, 2007; the letters received (Roger Thomas, Nan & Will Clarkson, Alison Clarkson & Oliver Goodenough, Robert Nettle, Herbert Hudnut, William Hudnut, Stewart Hudnut, Tom Hudnut, Tom Forrest, Patrick Cunningham, McPhillips Agency (Attny for Patrick Cunningham), Andrew Clarkson, and Robert Bischoff) will be included in the public hearing record. Supv. Thomas then announced that the Planning Committee would be holding a meeting on February 14, 2007 at 3:30pm at the Tannery Pond Community Center and asked that the Town Board approve the Town Clerk placing a notice for the meeting in the North Creek News-Enterprise.

## RESOLUTION NO. 47

Mr. Goodspeed presented the following resolution and moved its passage with a second from Mr. Arsenault to authorize the Town Clerk to place a legal notice of the Planning Committee meeting on February 14, 2007 at 3:30pm at the Tannery Pond Community Center in the North Creek News-Enterprise. With all members voting in favor the resolution is declared carried. Ayes-5 (Arsenault, Goodspeed, Stevens, VanKeuren, Thomas) Nays - 0

Supv. Thomas read a letter from the Planning Board to Comlinks explaining that removal of the median in the entrance drive will invalidate their site plan approval. Supv. Thomas asked if the Town Board wished to revisit Resolution Number 43 of 2007. Mr. Goodspeed said that in order to affirm the independence of the Planning Board he would ask that Resolution Number 43 of 2007 be rescinded.

## RESOLUTION NO. 48

Mr. Goodspeed presented the following resolution and moved its passage with a second from Mr. Stevens to rescind Resolution Number 43 of 2007 which was passed at the January 16, 2007 Regular Town Board meeting. With all members voting in favor the resolution is declared carried. Ayes-5 (Arsenault, Goodspeed, Stevens, VanKeuren, Thomas) Nays - 0

Supv. Thomas asked Town Attorney Jordan to discuss the issue of alleged firewood removal by Town Highway employees. As the Town Board members had no personal knowledge of any criminal action related to the issue the Town Board, Attorney Jordan stated that the Town Board acted correctly in saying that the matter should be referred to an investigative agency (police department). Attorney Jordan said that a written complaint with proof could be filed with the Town Board. Additionally, Attorney Jordan stated that he has spoken with Highway Supt. Richards and that Supt. Richards has established a policy and has presented the policy to the Town Board. Mr. Roger Mosher said that it is illegal to give a town asset to the Outreach Center; it has to be disposed of or left on site according to the office of the state comptroller. Attorney Jordan answered that if the asset is valueless or costs more to dispose of than it is worth that it may be donated. Mr. Peter Heid said that according to a state comptroller opinion that the Town Board may inquire into allegations. Mr. Mosher added that Bruce Cleveland, a highway employee, had made a statement to the effect that employees had taken the wood at a board meeting. Mr. Goodspeed said that he thought that the statement was a joke. Mr. Heid said that the Town board was not taking any action; Mr. Goodspeed said that the Town Board had taken two actions: it had referred witnesses to the police and that it had referred the matter to the Town Attorney and the Highway Supt. for action. Attorney Jordan asked if a written complaint had been filed; none has been filed. Mr. Goodspeed said that 21 days had apparently passed with no complaint made to a police agency. Mr. Arsenault said that he did not see the Town Board as an investigative body and that the issue was referred to the town attorney. Mr. Stevens said that he felt that the board was threatened physically at the January 16<sup>th</sup> meeting. Supv. Thomas said that the Town Board would pursue a written complaint in some manner.

Supv. Thomas asked Town Attorney Jordan to explain to the Town Board the next step in moving forward with the Proposed Land Use Fee Structures. Attorney Jordan explained that as the Town Board had held a public hearing regarding the fee structures on January 16, 2007 at the

Town Library in North Creek, NY. Attorney Jordan added that changes suggested at that public hearing had been made and that the Town board could accept the fee schedule.

#### RESOLUTION NO. 49

Mr. Goodspeed presented the following resolution and moved its passage with a second from Mr. Arsenault to accept the Proposed Land Use Planning Fee Structures as the new Fee Structures, effective immediately.

### **PROPOSED LAND USE PLANNING FEE STRUCTURES**

#### I. SUBDIVISION FEES

- a. Sketch Plan Conference Review (Informal): \$0
- b. Subdivision Preliminary Review: \$100
- c. Subdivision Final Approval Prior to signing Mylar:
  - i. All applications \$100
  - ii. Lot fee; 3 or more lot subdivision \$100/lot
  - iii. Recreation Fee; 4 or more lot subdivision \$100/lot

#### II. SITE PLAN REVIEW

- a. 0-2,500 Square Foot Building \$100
- b. 2,501 s.f. - 10,000 Square Foot Building \$250
- c. 10,001 + Square Foot Building \$500

#### III. SPECIAL USE PERMIT

- a. \$50 plus standard Site Plan Review Fees set forth in number II above

#### IV. ZONING BOARD OF APPEALS

- a. Area and Sign Variances \$50
- b. Use Variance \$50

#### V. MISCELLANEOUS

- a. Paper Copy of Land Use Regulations \$20
- b. Copy of Land Use Regulations on C.D. \$10

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

Supv. Thomas asked Town Attorney Jordan to explain to the Town Board the next step in moving forward with the proposed Local Law #1 of the Town of Johnsbury for the Purpose of Establishing a Fee Schedule for Attorneys and Engineers. As a result of comments received at the public hearing held on Tuesday January 2, 2007, at 6:30pm, at the Wevertown Community Center, Wevertown, NY there were substantial changes made to the proposed law and it is the advice of Town Attorney Jordan that the Town Board should conduct a second public hearing regarding this proposed Local Law #1.

#### RESOLUTION NO. 50

Mr. Stevens presented the following resolution and moved its passage with a second from Mrs. VanKeuren that the Town Clerk is instructed to advertise in one issue of the North Creek News-Enterprise that the Town Board will conduct a Public Hearing regarding the proposed Local Law #1 of the Town of Johnsbury for the Purpose of Establishing a Fee Schedule for Attorneys and Engineers; said Public Hearing to be held on Tuesday, March 6, 2007, at 6:30pm, at the Wevertown Community Center, Wevertown, NY. With all members voting in favor the

resolution is declared carried. Ayes-5 (Arsenault, Goodspeed, Stevens, VanKeuren, Thomas)  
Nays - 0

Supv. Thomas asked Town Attorney Jordan to update the Town Board on the Front Street N.I.P.A. (Notice of Incomplete Permit Application) from the Adirondack Park Agency (A.P.A.). Attorney Jordan explained that the N.I.P.A. response is a work in progress due to the O.R.D.A. interconnect; the A.P.A. wants to be assured that the developer's plans are in harmony with those of the Town for the Ski Bowl Park. Attorney Jordan noted that the Wastewater Memorandum of Understanding with Front Street is ready for approval by the Town Board. Mr. Arsenault asked about the amount of waste to be accepted by Front Street; Attorney Jordan answered that engineer Jim Hutchins professional opinion was that the Ski Hut replacement building would not generate more than 8,000 gallons of waste per day and that the agreement allows for a 12,000 gallon per day maximum.

#### RESOLUTION NO. 51

Mr. Goodspeed presented the following resolution and moved its passage with a second from Mr. Stevens that the Town Board authorizes the Town Supervisor to execute the Wastewater Memorandum of Understanding with Front Street Mountain Development. With all members voting in favor the resolution is declared carried. Ayes-5 (Arsenault, Goodspeed, Stevens, VanKeuren, Thomas) Nays - 0

Supv. Thomas asked Attorney Jordan about the golf agreement. Attorney Jordan explained that no golf would be conducted on land currently belonging to the Town as part of the Ski Bowl Park; golf would be conducted on land to be conveyed to the Town as part of the memorandum of understanding. Mr. Goodspeed requested that the golf agreement contain language to effect the following: if Front Street does not operate the golf course within defined standards of operation or if any principals of the corporation violate any criminal laws that the Town will have the right to use the Town property containing the golf holes immediately. Mr. Goodspeed also wants assurances that the golf usage will not interfere with the summer youth program conducted by the Town. Mr. Arsenault expressed support for these positions, noting the need for a time frame to be included in the agreement.

Town Attorney Jordan explained that D. E. C. (Dept. of Environmental Conservation) regulations require that a subsurface wastewater system be operated either by a municipality or by a transportation corporation. Top Ridge needs to form a transportation corporation; Tom LaBombard, town engineer, has met with the Top Ridge engineer, Jim Hutchins, and has given Top ridge a list of his concerns; Top Ridge needs to respond to the town engineer's concerns before the issue can move forward.

Supv. Thomas informed the Town Board that the owner of the property adjacent to the Wevertown Community Center has concerns about the Town scheduling events which have parking needs above the amount currently available on-site. Supv. Thomas suggested limiting the building use to groups not larger than the available parking, which is approximately 12 vehicles. Mr. Peter Heid noted that the parking of groups at the Tannery Pond Community Center routinely raises safety issues due to illegal parking. Supv. Thomas answered that the Town has been trying to get people to use the newly lighted parking lot. It was noted that there

is parking available along the highway and that the building use will probably be curtailed during the period of constructing additional parking in the newly purchased land surrounding the building.

#### RESOLUTION NO. 52

Mr. Goodspeed presented the following resolution and moved its passage with a second from Mr. Arsenault that the use of the Wevertown Community Center will be limited to groups with parking requirements of no more than 12 vehicles and excepting the uses by the Town for Town Board meetings and Town court sessions.. With 4 members voting in favor the resolution is declared carried. Ayes-4 (Arsenault, Goodspeed, VanKeuren, Thomas) Nays – 1 (Stevens)

Mr. Goodspeed reported that he has spoken with the Tannery Pond Community Center Association about building use fees and they are still reviewing the matter to form a response; the item will be brought back at an upcoming meeting.

Supv. Thomas explained that the Town has applied for a D.E.C. grant through the Warren County Soil and Water Conservation District to improve the fish habitat in the North Creek at the park swimming area. It was suggested by the Soil and Water Dept. that the weir could be removed in the interest of improving the fish habitat. Mr. Robert Nettle presented a plan involving the draining of the swimming area to kill snails which cause skin irritation, preclude the use of the area by geese and create a lees hospitable area for snake reproduction. Mr. Stevens asked for a report from engineer, Jim Hutchins, about the effects of removing the weir; Mr. Hutchins replied that if the top boards of the weir were removed the swimming area could be drained; the water level will stay at the stream level. Mr. Stevens said that if the weir were removed that he would expect that the water level of the pond would drop. Mr. Arsenault asked if the dam were to be removed could it be restored at a time in the future. Mr. Goodspeed said that he thought that the top boards allowed a deeper filling of the swimming area; Mr. Jim Jones, the local excavator who built the berm, said that without the top boards the water level would probably only be sustainable to about 7 feet. Mr. Nettle said that the springs in the swimming area would supply the added water if the transfer pipes were closed off. Mr. Jones said that the berm is permeable by design to allow for more movement of water and the water level will not stay much above 7 feet. Mr. Peter Heid said that at the time of year when the swimming is most used the springs will not be supplying as much water as normal. Mr. Nettle said to pump in more water. There was a discussion of the state rules concerning the pumping of water into the swimming area. Supv. Thomas suggested asking Dave Wick of Soil and Water to come to the next board meeting to discuss the issue and Mr. Goodspeed suggested asking Mr. Hutchins to look into the regulatory process for cleaning and pumping at the swimming area.

Supv. Thomas informed the Town Board that an audit of the pavilion project will be necessary for the final grant payment to be released; he requested that the Town Board authorize research on firms and costs to conduct said audit.

#### RESOLUTION NO. 53

Mr. Goodspeed presented the following resolution and moved its passage with a second from Mr. Arsenault that the Town Board authorizes the exploration of the costs of an audit and determine which firms could conduct such an audit to effect the release of the final payment for

the Ski Bowl Park Pavilion project. With all members voting in favor the resolution is declared carried. Ayes-5 (Arsenault, Goodspeed, Stevens, VanKeuren, Thomas) Nays - 0

Supv. Thomas informed the Town board that Local Government Day will be on March 22, 2007 and that he would request that the Town Board authorize payment of the registration fee of \$45.00 per attendee and mileage for members of Town boards wishing to attend; he noted that he would be attending and that Planning Board member, Ron Vanselow had expressed interest in attending.

#### RESOLUTION NO. 54

Mr. Arsenault presented the following resolution and moved its passage with a second from Mr. Goodspeed that the Town Board authorizes payment of registration fees (\$45.00 per attendee) and mileage to the Local Government Day Conference to be held on March 22, 2007 for members of Town boards. With all members voting in favor the resolution is declared carried. Ayes-5 (Arsenault, Goodspeed, Stevens, VanKeuren, Thomas) Nays - 0

#### NEW BUSINESS

Supv. Thomas informed the Town Board that Ryan McNally had achieved the rank of Eagle Scout in the Boy Scouts of America and requested that the Town Board pass a resolution of commendation for his achievement.

#### RESOLUTION NO. 55

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

Whereas, Ryan McNally is a Town of Johnsburg resident and a member of Boy Scout Troop 36 of North Creek, and

Whereas, Ryan needed to plan, organize and acquire financial and volunteer aid to fully complete a beneficial civic project in order to fulfill the final requirement for the Eagle Scout rank, and

Whereas, Ryan has, with the aid of volunteers and other scouts, installed solar lighting, installed a culvert, backfilled an area previously impassable in the Spring of the year, and also designed, built and installed benches along the Carol Thomas Memorial Trail, and

Whereas, the highest honor in scouting is the Eagle Scout rank, and

Whereas, Ryan is the first scout from Troop 36 to earn the Eagle rank since the reformation of Troop 36 in 1998 and also the first since 1986 in the former Troop 36, and

Be It Firmly Resolved, that the Town Board of the Town of Johnsburg recognizes the hard work and dedication that Town of Johnsburg resident Ryan McNally has shown in his years as a Boy Scout of Troop 36 and in conceiving and carrying out this beneficial civic project, and

Be It Further Resolved, that the Board wishes to express their pride in this young man, along with his family which supported and encouraged him, and

Be It Known that the Town Board wishes him the best of luck as he moves into the future; it is a true honor for the Town of Johnsburg to have Eagle Scout Ryan McNally as a member of our community.

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

Supv. Thomas informed the Town Board that he had been notified that two residents of the Adirondack Tri County Nursing and Rehabilitation Home would attain the age of 100 years of age during this week and requested that the Town Board issue a proclamation of appreciation of this achievement by Esther Allison and .

#### RESOLUTION NO. 56

Mr. Stevens presented the following resolution and moved its passage with a second from Mrs. VanKeuren that the Town Board issues a proclamation in appreciation of the attainment of the age of 100 years for Esther Allison and Alice Anzino, residents of the Adirondack Tri-County Nursing and Rehabilitation Center as follows:

Whereas, on February 5, 2007 Esther Allison current resident of the Adirondack Tri-County Nursing and Rehabilitation Center will obtain the age of 100 years, this being a remarkable achievement and therefore, be it resolved that the Town Board of the Town of Johnsbury Congratulates Esther Allison and her family On the Occasion of her One Hundredth Birthday;

Whereas, on February 4, 2007 Alice Anzino current resident of the Adirondack Tri-County Nursing and Rehabilitation Center will obtain the age of 100 years, this being a remarkable achievement, and therefore, be it resolved that the Town Board of the Town of Johnsbury Congratulates Alice Anzino and her family On the Occasion of her One Hundredth Birthday.

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

Supv. Thomas informed the Town Board that the state is making several changes in the justice court requirements; some will occur in the near future and others later. Copies of the newsletter from the Justices' Association outlining the changes were given to the Town Board for their information. Town Justice Carl (Ted) vonCzoernig noted that digital recording of all court proceedings was one of the first requirements to take effect and added that available grants did not seem to be in amounts to give much assistance. Supv. Thomas noted that the state may add to the grant level in the future as is often the case with major procedural or equipment modification requirements.

Supv. Thomas informed the Town Board that representatives of Front Street Mountain Development had met with community business representatives to discuss a system for moving skiers between the hamlet and the ski area in the future. Front Street asked that a committee from the Town board be involved in the discussions for a future shuttle system. Supv. Thomas appointed Mr. Goodspeed and Mrs. VanKeuren as a Town Board committee for this issue.

Minutes of the January 16, 2007 meeting of the Youth Committee were distributed to the Town Board members.

Supv. Thomas explained that on Wednesday, February 14<sup>th</sup> a program on the Workers Compensation program was to be held at the Warren County Municipal Center and that Secretary Cherie Ferguson was willing to attend if the Town Board wishes and will agree to reimburse her mileage.

#### RESOLUTION NO. 57

Mr. Arsenault presented the following resolution and moved its passage with a second from Mr. Goodspeed that the Town Board authorizes Cherie Ferguson to attend the program on Workers Compensation at the Warren County Municipal Center on February 14, 2007 and be reimbursed for her mileage to the program. With all members voting in favor the resolution is declared carried. Ayes-5 (Arsenault, Goodspeed, Stevens, VanKeuren, Thomas) Nays - 0

Supv. Thomas informed the Town Board that the Clough-Harbour engineering contract for 2007 had arrived and requested permission to sign and return the contract. Mr. Goodspeed pointed out to the Town board that the Planning Board has some reservations about using the firm for smaller projects. The Town Board agreed to signing the contract subject to the agreement of the Town Attorney and subject to discussion with the Planning Board as they are the major recipient of the service.

#### RESOLUTION NO. 58

Mr. Stevens presented the following resolution and moved its passage with a second from Mr. Goodspeed that the Town Board authorizes Supervisor William Thomas to sign the contract for professional services between the Town of Johnsburg and the engineering firm of Clough-Harbour and Associates with the approval of the Town Attorney and after referring the contract to the Planning Board for comment. With all members voting in favor the resolution is declared carried. Ayes-5 (Arsenault, Goodspeed, Stevens, VanKeuren, Thomas) Nays - 0

Supv. Thomas read the Town board the notice of the Public Hearing on the Front Street Mountain Development Ski Bowl Village Project to be held by the Planning Board on February 27, 2007 at 7:00pm at the Tannery Pond Community Center.

Ms. Andrea McKee asked the Town Board to allow Youth Works, a group which will conduct programs in the afternoon following the Town Youth Program and provide a service by occupying the children at the Youth Program earlier in the day, to be able to use the Wevertown Community Center as a backup kitchen center between the dates of June 16 and August 3, 2007. The group is hoping to be able to use the lodge at Gore Mt. (O.R.D.A.) and this would be a backup for that area.

#### RESOLUTION NO. 59

Mr. Stevens presented the following resolution and moved its passage with a second from Mr. Goodspeed to allow Youth Works the use of the Wevertown Community Center as a backup kitchen center between the dates of June 16 and August 3, 2007 with the approval of the insurance carrier regarding the liability insurance of the Youth Works group. With all members voting in favor the resolution is declared carried. Ayes-5 (Arsenault, Goodspeed, Stevens, VanKeuren, Thomas) Nays - 0

Supv. Thomas distributed the Supervisor's Monthly Report, for the month of January 2007, to the members of the Town of Johnsburg Town Board.

Supv. Thomas asked if the Town Board wished to accept the Wood Policy as designed by Highway Supt. Curtis Richards to allow for excess wood to be brought to the North Country Outreach Center.

## RESOLUTION NO. 60

Mr. Stevens presented the following resolution and moved its passage with a second from Mr. Arsenaault to accept the wood removal policy as designed by Highway Supt. Curtis Richards (as attached page 9a). Discussion followed.

Town Attorney Jordan explained that if the cost to remove the wood is more than the worth of the wood that the Town Board may declare the wood worthless and remove it in accordance with the policy. Ms. Cherie Ferguson suggested that the Town Board request that the North Country Outreach Center send a letter to accept the wood. Mr. James Jones said that in his opinion the Town will not get individuals to pick up excess wood; he has experienced this problem in his business. Mr. Stevens said that as the individuals who have been most interested in this policy had previously left the meeting he felt that the issue should be tabled until the next meeting.

## RESOLUTION NO. 61

Mr. Stevens presented the following resolution and moved its passage with a second from Mr. Goodspeed to table Resolution Number 60 regarding the wood removal policy as designed by Highway Supt. Curtis Richards (as attached page 9a) until the next regular Town Board meeting. With all members voting in favor the resolution is declared carried. Ayes-5 (Arsenaault, Goodspeed, Stevens, VanKeuren, Thomas) Nays - 0

Supv. Thomas asked if the Town Board wished to accept the Agreement to Spend Highway Funds presented by Highway Supt. Curtis Richards and dated January 25, 2007.

## RESOLUTION NO. 62

Mr. Stevens presented the following resolution and moved its passage with a second from Mr. Arsenaault to accept and sign the Agreement to Spend Funds presented by Highway Supt. Curtis Richards and dated January 25, 2007. With all members voting in favor the resolution is declared carried. Ayes-5 (Arsenaault, Goodspeed, Stevens, VanKeuren, Thomas) Nays - 0

Supv. Thomas informed the Town Board that Highway Supt. Curtis Richards was requesting authority to post the town roads to protect them from damage.

## RESOLUTION NO. 63

Mr. Arsenaault presented the following resolution and moved its adoption with a second from Mrs. VanKeuren to direct and authorize the Highway Superintendent to post Town Highways according to Subdivision II of Section 1660 of Vehicle and Traffic Law that all Town Roads will be temporarily closed upon posting to all vehicles having a gross weight of over four (4) tons. Further notice is hereby given that any person or persons violating this order shall be subject to punishment as provided in Section 1800 of the Vehicle and Traffic Law. With all members voting in favor the resolution is declared carried. Ayes-5 (Arsenaault, Goodspeed, Stevens, VanKeuren, Thomas) Nays - 0

Supv. Thomas asked the Town board to allow the federal block grants represented from the NYS Small Cities office which is to be administered by the Warren County Planning Department

to be accessed as needed with the approval of the Town Supervisor and the amounts disbursed will be reported at the next regular Town Board meeting.

#### RESOLUTION NO. 64

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

**Whereas**, the Town has applied for and received \$516,000 in federal block grant funds from the NYS Housing Trust Fund Corporation represented by the Governor's Office for Small Cities for the purpose of implementing a work program for the North Creek Ski Bowl, and

**Whereas**, the Town desires to use the services of Warren County Planning Department and the Warren County Local Development Corporation as identified in separate executed agreements concerning the administration of the funding award, and

**Whereas**, the Town of Johnsbury Town Board desires to provide for the expeditious transfer of federal funds for eligible project expenses associated with the North Creek Ski Bowl, and

**Now Therefore Be It Resolved**, that the Town of Johnsbury Town Board authorize the Town Supervisor to approve the abstract of project expenses and establish the office procedures for the payment of eligible project expenses upon notification by the Warren County Planning Department, and

**Be It Further Resolved**, that the Town Board of the Town of Johnsbury will review the abstract and related account information at regularly scheduled meetings of the Town Board.

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

Supv. Thomas requested that the Town Board set a date and time for interviews to appoint an alternate Planning Board member to fill the current vacancy on the Planning Board.

#### RESOLUTION NO. 65

Mr. Arsenault presented the following resolution and moved its passage with a second from Mrs. VanKeuren to direct the Town Clerk to advertise the vacancy of an alternate member for the Planning Board in the North Creek News-Enterprise and to schedule interviews on March 6, 2007 at 6:00pm at the Wevertown Community Center, Wevertown, NY. With 5 members voting in favor and none opposed the resolution is declared carried. Ayes-5 (Arsenault, Goodspeed, Stevens, VanKeuren, Thomas) Nays – 0

#### RESOLUTION NO. 66

Mr. Goodspeed 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 #3G/Claims #43-75; Highway Fund- Warrant #2H/Claims #23-32; North Creek Water Dist.- Warrant #2W/Claims#5-11. With all members voting in favor the resolution is declared carried. Ayes-5 (Arsenault, Goodspeed, Stevens, VanKeuren, Thomas) Nays - 0

Mr. Robert Nettle questioned the spending of \$3515.19 on a 1988 Parks Department truck (Warrant 3G-Claim 62). Cherie Ferguson explained that this was a dump truck which was needed by the Parks Department or would need to be replaced and that Parks Department Supt. Matt Olden had worried about the expense. Mr. Arsenault said that he hoped that there was some thought about the expense.

PRIVILEGE OF THE FLOOR

Mr. James Jones asked when the skating rink was going to open. Mr. Robert Nettle said that he had taken down the "No Skating" sign at 3:00pm that afternoon and the ice was in great shape for skaters.

Supv. Thomas announced that the Town Board would enter executive session for the purpose of discussing a personnel issue and that there would be no resolutions resulting from the session.

A motion to enter executive session to discuss a personnel issue was presented by Mr. Stevens with a second from Mr. Arsenault at 9:55pm. With all members voting in favor the motion is declared carried. Ayes-5 (Arsenault, Goodspeed, Stevens, VanKeuren, Thomas) Nays - 0

A motion to adjourn the executive session and return to the regular meeting was presented by Mr. Goodspeed with a second from Mrs. VanKeuren at 10:10pm. With all members voting in favor the motion is declared carried. Ayes-5 (Arsenault, Goodspeed, Stevens, VanKeuren, Thomas) Nays - 0. The executive session was closed at 10:10pm.

A motion to adjourn the meeting was presented by Mrs. VanKeuren with a second from Mr. Goodspeed at 10:12pm. With all members voting in favor the resolution is declared carried. Ayes-5 (Arsenault, Goodspeed, Stevens, VanKeuren, Thomas) Nays - 0

The next regular Town Board meeting will be held at 7:00pm on February 20, 2007 at the Town Library, North Creek, NY

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Prepared by William Rawson, Town Clerk