

**Minutes of the Town of Johnsbury Regular Board Meeting July 17, 2007  
Held at 7:00pm at the Town of Johnsbury Library, North Creek, NY and an Executive  
Session to Interview Candidates for the position of Assistant to the Superintendent of the  
North Creek Water District at 6:30pm**

Minutes of the Executive Session of the Town Board of the Town of Johnsbury held on Tuesday July 17, 2007 at 6:30pm at the Town Library, Town Hall North Creek, NY. Supervisor Thomas called the meeting to order at 6:30pm for the purpose of conducting interviews for the position of Assistant to the Superintendent of the North Creek Water District.

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.

Also present were the following interviewees: Todd Hawkins and Edward Aldous

Mr. Stevens made a motion, with a second from Mr. Goodspeed to enter into executive session for the purpose of conducting interviews for the position of Assistant to the Superintendent of the North Creek Water District at 6:30pm. With all members voting in favor the resolution is declared carried. Ayes-5 (Arsenault, Goodspeed, Stevens, VanKeuren, Thomas) Nays - 0

Mrs. VanKeuren made a motion, with a second from Mr. Arsenault to adjourn the executive session at 6:50pm. With all members voting in favor the resolution is declared carried. Ayes-5 (Arsenault, Goodspeed, Stevens, VanKeuren, Thomas) Nays - 0

Minutes of the regular meeting of the Town Board of the Town of Johnsbury held on Tuesday July 17, 2007 at 7:00pm at the Town Library, Town Hall North Creek, NY Supervisor Thomas called the meeting to order at 7:00pm and the pledge to the flag was led by Councilman 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. 201**

Mr. Stevens presented the following resolution and moved its passage with a second from Mr. Goodspeed to accept the minutes of the July 3, 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:**

1. A letter from Mr. Paul Fracchia, requesting that the Town Board allow him the use of the Wevertown Community Building for the purpose of conducting a karate class on Monday and Wednesday afternoons between 3:00pm and 5:00pm through April 2, 2008.
2. A letter from Ms. Kate Hartley regarding necessity of a professional carpet cleaning and the problem of paint cleanup following the building use by the Art and Nature Camp at the Tannery Pond Community Center.

3. A letter from Mr. and Mrs. Arthur Thornton requesting that the Town Board act in its capacity as Board of Health to order a health inspection of a nearby property regarding an issue of numerous cats.

Supv. Thomas asked if the Town Board wised to act upon the letter from Ms. Kate Hartley about the necessity of a professional carpet cleaning at the Tannery Pond Community Center; Ms. Cherie Ferguson, Supervisor's Secretary, added that the Buildings Cleaner has requested a steam cleaner for use on the carpets as an initial treatment. Ms. Ferguson estimated the cost of a used steam cleaner to be about \$200.00.

#### RESOLUTION NO. 202

Mr. Stevens presented the following resolution and moved its passage with a second from Mr. Arsenault that the Town Board of the Town of Johnsburg authorizes the hiring of a professional cleaner for the Tannery Pond Community Center carpets. With all members voting in favor the resolution is declared carried. Ayes-5 (Arsenault, Goodspeed, Stevens, VanKeuren, Thomas) Nays - 0

Supv. Thomas asked if the Town Board wised to act upon the letter from Mr. and Mrs. Arthur Thornton regarding the issue of numerous cats being kept in a nearby property.

#### RESOLUTION NO. 203

Mr. Arsenault presented the following resolution with a second from Mrs. VanKeuren that, at the request of the Town Zoning Enforcement Officer, the Town Board, acting in its capacity as Board of Health, authorizes Dr. John Ruge, the Town of Johnsburg Health Officer, to inspect the following property for possible Health Code violations: (Tax Map No. 117.-1-13), 5 Back To Sodom Road. With all members voting in favor the resolution is declared carried. Ayes-5 (Arsenault, Goodspeed, Stevens, VanKeuren, Thomas) Nays - 0

#### COMMITTEE REPORTS:

#### OLD BUSINESS:

Supv. Thomas recognized Mrs. Judith Brown to give the Town Board a report on the "Master Gardener" project at the Ski Bowl Park. Mrs. Brown reported that Ms. Andrea McKee, Ski Bowl Park Committee Chairman, asked that the "Master Gardener" group work on the "Vee" at the road divide in the park and look into other projects at the park. The group is working on an "adopt-a-garden" plan for the area; also they are looking at cutting a trail between the pond area and the Transfer Station with the assistance of the Youthworks group. Mrs. Brown informed the Town Board that the Youthworks group will have a pot-luck style barbeque at the Ski Bowl Park on Thursday, August 2<sup>nd</sup> and will be leaving the town on August 3<sup>rd</sup>. Mrs. Brown asked that the Town Board approve the "adopt-a-garden" plan for the intersection of Ski Bowl Road and Dump Road in the Ski Bowl Park.

#### RESOLUTION NO. 204

Mr. Goodspeed presented the following resolution and moved its passage with a second from Mrs. VanKeuren that the Town Board of the Town of Johnsburg authorizes the "Master Gardener" group to establish of an "adopt-a-garden" plan for the intersection of Ski Bowl Road

and Dump Road in the Ski Bowl Park. 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 received a quote from Mr. Mike Scavetti of the cost to remove the television translators from Ward Hill. The cost would be \$250.00. As the translators may have some value, Supv. Thomas asked that the Town Board declare the translators to be surplus at this time, so that they may be sold as surplus.

#### RESOLUTION NO. 205

Mr. Stevens presented the following resolution and moved its passage with a second from Mr. Goodspeed that the Town Board authorizes the payment of \$250.00 to Mr. Mike Scavetti, (TEC Services), for the removal of the television translators from Ward Hill and additionally to declare the television translators to be surplus property for purposes of disposal. With all members voting in favor the resolution is declared carried. Ayes-5 (Arsenault, Goodspeed, Stevens, VanKeuren, Thomas) Nays – 0

Supv. Thomas reminded the Town Board of the discussion of the Ski Bowl Park usage fee held at the July 3<sup>rd</sup> Regular Town Board meeting. Mr. and Mrs. Peter Burns were present for the discussion as well. Regarding the Columbus Day Ski Sale and other for profit uses Mr. Peter Burns, Beaver Brook Outfitters (Wevertown) and Mr. Dennis Lazovik, Schuss (non-resident), had suggested a use fee of \$100.00 per day for town resident businesses and \$200.00 per day for non- town resident businesses for the sale days. Mr. Arsenault questioned the expenses to the Town generated by the ski sale in particular. Ms. Cherie Ferguson, secretary, replied that the expenses were added electrical usage and trash removal; Mr. Burns explained that he had planned to remove the trash but had arrived after the Parks Department had removed the trash and noted that he would be responsible for the trash removal now that he knew of the Parks Department schedule.

#### RESOLUTION NO. 206

Mr. Goodspeed presented the following resolution and moved its passage with a second from Mrs. VanKeuren that the Town Board of the Town of Johnsburg sets the usage fee for a “for profit” use at the Ski Bowl Park as follows: \$100.00 per day for town resident businesses and \$200.00 per day for non- town resident businesses for the sale days (not to include set-up or cleanup days unless they are also sale days). With all members voting in favor the resolution is declared carried. Ayes-5 (Arsenault, Goodspeed, Stevens, VanKeuren, Thomas) Nays – 0

Mr. Burns also requested that the Town Board put in place a policy which will allow a user to reserve the date from one year to the next; this would end the problem of trying to schedule an event for the following year only to find that the date is not available having been booked in the meantime. Mr. Burns requested that the Town Board allow a 30 day period for the user to evaluate the success of his event and decide if he wishes to undertake the event the following year. The Town Board discussed allowing this option to a number of events which currently use the Ski Bowl Park.

## RESOLUTION NO. 207

Mr. Stevens presented the following resolution and moved its passage with a second from Mr. Arsenault that the Town Board of the Town of Johnsbury will allow the sponsors of the following events the option to schedule their event for the following year within a period of thirty days following the holding of their event: 4<sup>th</sup> of July (Independence Day) Celebration, the Columbus Day Ski Sale, the Rotary Circus event, the Upper Hudson Bluegrass Festival and the White Water Derby. With all members voting in favor the resolution is declared carried. Ayes-5 (Arsenault, Goodspeed, Stevens, VanKeuren, Thomas) Nays – 0

In a related issue the Town Board was informed that Mr. Mark Millington and Mrs. Tami Millington would like to approach the Town Board at a later date with their request for a harvest festival. They had envisioned a small local “get together” and were not sure if the event would be scheduled or not.

Supv. Thomas informed the Town Board that the budgets from the fire companies had been received in accordance with the fire protection contract which are required to be delivered prior to the Town making the payments

Supv. Thomas asked Mr. Mark Bergman to inform the Town Board of the progress of the Town Land Use Plan. Mr. Bergman explained that there were 18 towns of 105 in the Adirondack Park with A.P.A. approved plans; the Town of Johnsbury will be the 19<sup>th</sup> town to have an approved land use plan. Having an approved land use plan will allow the Town to make the decisions on Class B projects which are currently handled by the A.P.A. The next step is for the Town Board to conduct a Public Hearing on the changes, mostly technical in nature, which condition the A.P.A. approval. Following the public hearing the Town Board may act upon the Land Use Plan.

## RESOLUTION NO. 208

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

Whereas, amendments conditioning the A.P.A. acceptance of Proposed Local Law #1 entitled Town of Johnsbury Subdivision Control Law were presented to the Town Board at its regular meeting held on July 17, 2007, the Town Board of the Town of Johnsbury will hold a public hearing on said Proposed Local Law #1 on August 7, 2007, at 6:30pm at the Wevertown Community Center, Wevertown, NY in accordance with Municipal Home Rule Law, and

Whereas, amendments conditioning the A.P.A. acceptance of Proposed Local Law #2 entitled Town of Johnsbury Zoning Law were presented to the Town Board at its regular meeting held on July 17, 2007, the Town Board of the Town of Johnsbury will hold a public hearing on said Proposed Local Law #2 be held on August 7, 2007, at 6:30pm at the Wevertown Community Center, Wevertown, NY in accordance with Municipal Home Rule Law, and

Whereas, amendments conditioning the A.P.A. acceptance of Proposed Local Law #3 entitled Town of Johnsbury On-Site Wastewater Treatment Local Law was presented to the Town Board at its regular meeting held on July 17, 2007, the Town Board of the Town of Johnsbury will hold a public hearing on said Proposed Local Law #3 be held on August 7, 2007, at 6:30pm at the Wevertown Community Center, Wevertown, NY in accordance with Municipal Home Rule Law, and

Whereas, Proposed Local Law #4 entitled Town of Johnsbury Junk Storage Law was presented with no amendments conditioning the A.P.A. approval to the Town Board at its regular meeting held on July 17, 2007, I move that a public hearing on said Proposed Local Law #4 be held on August 7, 2007, at 6:30pm at the Wevertown Community Center, Wevertown, NY in accordance with Municipal Home Rule Law, and

Therefore, the Town Board of the Town of Johnsbury directs the Town Clerk to publish the required notices in the Town's Official Newspaper at least 5 days in advance of said public hearing.

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

Mr. Goodspeed asked if projects would automatically switch from the A.P.A. process to the Town of Johnsbury's following the anticipated Town Board approval of the Land Use Plan; Mr. Bergman answered that project approvals will remain with the agency where they were begun. Mr. Goodspeed also noted that the Town Board needed to remember that as the Zoning Enforcement Officer will become much busier with the passage of this Land Use Plan, the Town will need to maintain a good Z.E.O. and probably need more time added to his work schedule and to remember this at budget time. Supv. Thomas suggested asking Z.E.O. Edward Tuttle to come to the next meeting. Supv. Thomas thanked Councilman Arsenault, Mark Bergman, Robert Nettle and others who worked on the Land Use Plan; Mr. Mark Bergman added thanks to Mrs. Dorothy Osterhout, Planning Board Chairman, Professor Richard Lamb and deceased Alternate Planning Board member Albert Combs.

Supv. Thomas reminded the Town Board that prior to the Town placing the Schlie property up for sale a public hearing would have to be held on the question of declaring the property to be surplus; if the property were to be declared surplus that decision would be subject to a permissive referendum. If the property were to be sold it may be put to bid, auctioned or a contract with an agent may be entered into. Supv. Thomas suggested an appraisal of the property.

#### RESOLUTION NO. 209

Mr. Goodspeed presented the following resolution and moved its passage with a second from Mr. Arsenault that the Town Board authorized the Town Supervisor to engage an appraiser for the purpose of conducting an appraisal of the Town owned "Schlie" property (Tax Map Number 133.-1-34) off Goodman Road. With all members voting in favor the resolution is declared carried. Ayes-5 (Arsenault, Goodspeed, Stevens, VanKeuren, Thomas) Nays – 0

Supv. Thomas announced that the Town Board had received a request to acknowledge a change in the name of a private road for purposes of a "911" recognition. This is not to be regarded as a step toward acceptance of the road by the Town for maintenance. In September of 2006 the Town Board recognized the existence of a private road named "Kitts Way" coming off from Garnet Lake Road North in the Town of Johnsbury in parcel number 133.-1-77.2 currently belonging to Spencer Avenue Associates. Spencer Avenue Associates now is requesting that the road be renamed "Allen Hill Way".

## RESOLUTION NO. 210

Mr. Goodspeed presented the following resolution and moved its passage with a second from Mr. Stevens that the Town Board recognizes the existence of a private road named "Allen Hill Way" formerly known as "Kitts Way" coming off from Garnet Lake Road North in the Town of Johnsbury in parcel number 133.-1-77.2 currently belonging to Spencer Avenue Associates; this is not to be regarded as a step toward acceptance of the road by the Town for maintenance. With 5 members voting in favor and none opposed the resolution is declared passed. Ayes-5 (Arsenault, Goodspeed, Stevens, VanKeuren, Thomas).

Supv. Thomas recognized Secretary Cherie Ferguson to inform that the insurance provider had replied to the requests by the Town on the insurability of items requested by the Ski Bowl Park Committee for the beach area. Two items were the water slide and the water trampoline. The slide would need to be installed on level ground and the water trampoline would need to be securely anchored and age limitations; both items require adult supervision, possibly the addition of an extra lifeguard or worker on the beach. Mr. Stevens did not wish to add an additional worker at the beach; he felt the lifeguard could monitor all areas.

Supv. Thomas informed the Town Board that Mr. Goodspeed had recently received complaints regarding snakes in the swimming pond at the Ski Bowl Park; also, the lifeguard has reported that he needs to remove goose droppings daily from the float at the swimming pond at the Ski Bowl Park, and the Parks Department Supt. has reported that there is a beaver dam at the dam at the same area. Supv. Thomas noted that the probability of the "duck itch" infestation occurring again this year was heightened as a result of these reports. Supv. Thomas asked if the Town Board wished to continue putting money into the pond area for swimming in light of these reports. Mr. Goodspeed said that while the beach is a tremendous asset, it also requires a great deal of work to keep it open; he suggested fishing or boating as possible uses. Mrs. Jennifer Smith asked if some action was being taken about the goose problem; Mr. Stevens said that the U.S.D.A. suggested shooting the geese and he agreed with that solution. Mr. Philip Santasiero asked if the Town would be responsible for snakes in Garnet Lake. Supv. Thomas answered that since the Town did not operate a swimming area on Garnet Lake it had no responsibility. Supv. Thomas and Mr. Arsenault expressed the opinion that the swimming area presented a picturesque entrance to the Town that they wanted to keep; they suggested referring the question to the Ski Bowl Park Committee. Mr. Stevens noted that the Town Board was not rescinding any prior funding resolutions. In a related issue Supv. Thomas informed the Town Board that vandalism had occurred in the unlocked toilets at the Ski Bowl Park and that the toilets would again be locked when the area was not being used.

Supv. Thomas informed the Town Board that he had been informed by the insurance carrier that the \$31,000.00 being held upon the start of rebuilding a "Ski Hut" building was available, however, one of these years that they will cease holding the claim open for payment. Mr. Arsenault stated that the money belongs to the Town and that it should be paid and if the insurance company withdraws the offer of the money that the Town will sue the company for the payment; he requested that the Town Attorney draft a letter informing the insurance company of the Town's view in this matter.

## NEW BUSINESS

Supv. Thomas distributed the Tannery Pond Community Center Association meeting minutes for their meeting of May 14, 2007 and a report from June 11, 2007 to the Town Board for their review.

Supv. Thomas informed the Town Board that the company providing the wireless internet connection for the Town Hall has had to relocate an antenna due to the sale of the building upon which one of its antennae had been positioned. The company would like to locate an antenna on the Tannery Pond Community Center to assure a line of access to the Café Sarah location of the next antenna that is unblocked by trees. There would be no cost to the Town.

### RESOLUTION NO. 211

Mr. Goodspeed presented the following resolution and moved its passage with a second from Mr. Stevens that the Town Board will allow the installation of the antenna and the equipment necessary to receive and to broadcast the signal with the approval of the Tannery Pond Community Center Association. With all members voting in favor the resolution is declared carried. Ayes-5 (Arsenault, Goodspeed, Stevens, VanKeuren, Thomas) Nays - 0

Supv. Thomas asked the Town Board if they wished to act upon the request from Mr. Paul Fracchia, read earlier in the meeting requesting that the Town Board allow him the use of the Wevertown Community Building for the purpose of conducting a karate class on Monday and Wednesday afternoons between 3:00pm and 5:00pm through April 2, 2008. Ms. Cherie Ferguson, Secretary to the Supervisor, noted that the dates were available with the exception of the November 5, 2007 date which is the day prior to the General Election and setting up for the election will require that there be no other uses in the building to allow for the set up.

### RESOLUTION NO. 212

Mr. Stevens presented the following resolution and moved its passage with a second from Mr. Goodspeed to allow Mr. Paul Fracchia the use of the Wevertown Community Building for the purpose of conducting a karate class on Monday and Wednesday afternoons between 3:00pm and 5:00pm through April 2, 2008 with the exception of Monday, November 5, 2007. With all members voting in favor the resolution is declared carried. Ayes-5 (Arsenault, Goodspeed, Stevens, VanKeuren, Thomas) Nays - 0

Supv. Thomas asked Ms. Cherie Ferguson, Secretary to the Supervisor, to update the Town Board on a problem with the heating and cooling system (H.V.A.C.) at Tannery Pond Community Center. Ms. Ferguson explained that the H.V.A.C. at Tannery Pond Community Center was reported to her as not working properly last week and after checking the system reset and finding no solution, she contacted the service company, Thermal Associates. Thermal Associates has determined that the computer which controls the automatic thermal adjustments was malfunctioning; the H.V.A.C. in the building is being run manually at present. A specialist will be coming to diagnose the problem with the computer. Thermal Associates believes the problem was caused by the electrical storm earlier in the week. Ms. Ferguson noted that there is no surge or lightning protection on the building. Mr. Stevens and Mr. Goodspeed asked if the insurance carrier had been notified and Ms. Ferguson answered yes. Mr. Arsenault expressed concern that there was no surge protection on the Tannery Pond Community Center. Ms.

Ferguson requested that the Town Board look into acquiring lightning protection for the Town Hall and Tannery Pond Community Center. The Town Board agreed that the Supervisor's Office should look into prices for this protection. Supv. Thomas noted that the equipment at the Warren County Municipal Center was saved by a surge suppressor when a surge developed outside the center. Ms. Ferguson noted that Thermal Associates expected that the extra telephone line which was previously disconnected at Tannery Pond Community Center would need to be reconnected to allow for the malfunctioning computer or a replacement to be programmed.

#### RESOLUTION NO. 213

Mr. Arsenault presented the following resolution and moved its passage with a second from Mr. Goodspeed that the Town Board authorizes the reinstallation of the telephone line at Tannery Pond Community Center for the purpose of programming the computer which controls the heating and cooling system (H.V.A.C.). With all members voting in favor the resolution is declared carried. Ayes-5 (Arsenault, Goodspeed, Stevens, VanKeuren, Thomas) Nays - 0

Supv. Thomas distributed the Johnsbury Emergency Squad (E.M.S.) Quarterly Report to the Town Board for their review. Mrs. Jennifer Smith, Johnsbury Emergency Squad Treasurer, asked why the E.M.S. was required to deliver quarterly reports and the fire companies were not. Mr. Arsenault (Town Board Fire Committee) responded that possibly they should both be on the same schedule, but that it may be in the interest of the E.M.S. to continue quarterly reports. Mrs. Smith suggested that there might be benefits to the Town to see quarterly reports from the fire companies; Mr. Arsenault answered that asking for the creation of additional reports from the fire companies where the treasurer is not a trained accountant or bookkeeper would be a hardship. Supv. Thomas requested that the Fire Committee bring up the issue at their contract meeting with the Fire Chiefs.

Supv. Thomas asked if the Town Board, having earlier conducted interviews of Mr. Todd Hawkins and Mr. Edward Aldous, wished to appoint one of the candidates to the position of Assistant to the Superintendent of the North Creek Water District.

#### RESOLUTION NO. 214

Mr. Arsenault presented the following resolution and moved its passage with a second from Mr. Goodspeed to appoint Todd Hawkins to the part-time position of Assistant to the Superintendent of the North Creek Water District. 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 Town has received a Notice of Incomplete Application (N.I.P.A.) from the Adirondack Park Agency (A.P.A.) regarding the ski lift at the Ski Bowl Park. The subject of the N.I.P.A. was the clearing of the trail which had previously existed and grown in with brush and the lighting for night skiing at the Ski Bowl Park. The poles for the lighting for night skiing at the Ski Bowl Park are close to being installed. Supv. Thomas explained that O.R.D.A. manager, Mike Pratt, should be notified of this N.I.P.A. so that he can amend his construction schedule. Supv. Thomas noted that the brushing of the ski trail should not be a problem as they had been cleared historically. Mr. Arsenault asked if



O.R.D.A. would do some of the work relating to the N.I.P.A.; Mr. Goodspeed did not expect that O.R.D.A. would do that as the project is a Town project on Town Land. Supv. Thomas said that Town Attorney Jordan was under the impression that the A.P.A. was going to issue a non-jurisdictional determination. Supv. Thomas will have the Town Attorney look into the N.I.P.A.

Supv. Thomas asked the Town Board if they wished to act upon a request letter from Highway Supt. Curt Richards requesting that the Town Board authorize the purchase of a Municipal Dump Body and Hoist for a Highway vehicle damaged earlier in the year.

#### RESOLUTION NO. 215

Mr. Goodspeed presented the following resolution and moved its passage with a second from Mrs. VanKeuren authorize and allow Highway Supt. Richards to put out to bid the purchase of a Municipal Dump Body and Hoist; the Town Clerk is directed to advertise the bid for two weeks in the Town's Official Newspaper with the bids to be opened at 7:00pm on August 7, 2007 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 informed the Town Board that the Town had been notified by the State Office of Real Property Services that the term of Mrs. Ann Deppe, the Appointed Assessor of the Town of Johnsbury, will expire on September 30, 2007 and asked if the Town board wished to re-appoint Mrs. Deppe as the Appointed Assessor.

#### RESOLUTION NO. 216

Mr. Stevens presented the following resolution and moved its passage with a second from Mr. Arsenault that the Town Board of the Town of Johnsbury will re-appoint Ann P. Deppe to the position of Appointed Assessor of the Town of Johnsbury for a term to run from October 1, 2007 through September 30, 2013. With all members voting in favor the resolution is declared passed. Ayes-5 (Arsenault, Goodspeed, Stevens, VanKeuren, Thomas) Nays - 0

Supv. Thomas explained that O.R.D.A. would like permission to post a banner advertising gondola rides on the posts at Ski Bowl Park from July 28<sup>th</sup> through Columbus Day weekend (October 6<sup>th</sup> and 7<sup>th</sup>) of 2007. Mr. Joel Beaudin informed the Town Board that the Upper Hudson Bluegrass Festival committee would be putting up the banner for their August festival during the week of July 23<sup>rd</sup> and that their banner placement had been approved during 2006.

#### RESOLUTION NO. 217

Mr. Goodspeed presented the following resolution and moved its passage with a second from Mr. Arsenault to allow O.R.D.A. to put up its advertising banner on the signposts at the Ski Bowl Park from July 28<sup>th</sup> through Columbus Day weekend (October 6<sup>th</sup> and 7<sup>th</sup>) of 2007, however, the O.R.D.A. banner is to be put in place below the banner to be put up by the Upper Hudson Bluegrass Festival committee and upon the removal of the Upper Hudson Bluegrass Festival banner to move the O.R.D.A. banner to the top of the signposts. With all members voting in favor the resolution is declared passed. Ayes-5 (Arsenault, Goodspeed, Stevens, VanKeuren, Thomas) Nays - 0

## RESOLUTION NO. 218

Mr. Stevens presented the following resolution and moved its passage with a second from Mr. Arsenault that the following certified bills which have been reviewed by the Town Board members be paid: General Fund- Warrant #14G/Claims #279-305; Highway Fund- Warrant #14H/Claims #140-153; North Creek Water Dist.- Warrant #13W/Claims#60-63; Library Fund- Warrant #7L/Claims#47-53; Johnsbury Fire Protection District-Warrant #2JFPD/Claims # 2-8; Capital Projects Fund-Warrant #6CPF/Claim #2. With all members voting in favor the resolution is declared carried. Ayes-5 (Arsenault, Goodspeed, Stevens, VanKeuren, Thomas) Nays – 0

Supv. Thomas noted that there will be a short Executive Session for the purpose of discussing a Board of Health issue. Supv. Thomas noted that there may be resolutions as a result of the executive session.

## PRIVILEGE OF THE FLOOR

Mr. Donald Walp asked if the fire companies were subject to an independent audit; Mr. Arsenault answered that the Town Board had looked into this and that the Town Board has no legal right to conduct or order an audit of the fire companies' books. Mr. Walp explained that he was worried about the losses of the Johnsbury Fire Co. Mr. Goodspeed replied that this was the subject of an open criminal investigation.

Mr. Tim Record mentioned that the Planning Board had received a 16 to 20page informational packet regarding Front Street Mountain Development and O.R.D.A. from the Residents Committee to Protect the Adirondacks and asked if the Town board was aware of any pending litigation involving these entities. Supv. Thomas answered that the Department of Environmental Conservation had agreed to conduct further environmental review of their Unit Management Plan as a result of litigation filed by the Residents Committee to Protect the Adirondacks; he knew of no other litigation.

Mr. James Jones suggested checking to see if the electrical power was disconnected to the television translators on Ward Hill prior to removing them.

A motion to enter executive session at 8:45pm was presented by Mrs. VanKeuren with a second from Mr. Goodspeed for the purpose of discussing a Board of Health issue. 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 8:55pm. 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 9:30pm.

Supv. Thomas noted that the Town Board had received recommendations from Health Officer, Dr. John Ruge regarding the three properties which, at the June 5, 2007 regular meeting, the Town Board had requested that he inspect. Supv. Thomas asked if the Town Board wished to act upon Dr. Ruge's recommendations.

## RESOLUTION NO. 219

Mr. Goodspeed presented the following resolution and moved its passage with a second from Mrs. VanKeuren that the Town Board agrees to follow the various recommendations from Health Officer, Dr. John Ruge regarding the properties which he inspected at the request of the Town Board acting as the Board of Health and therefore, conduct enforcement proceedings under Town ordinance to assure clean-up at Tax Map parcel 66.5-1-3 and request assistance from the New York State Department of Environmental Conservation in evaluating the marshy area (wetlands) diagonally across the road from 2468 State Route 8 and further, request the assistance of the New York State Department of Environmental Conservation in conducting a dye test at Tax Map parcel 165.-1-4 after obtaining appropriate permission. With all members voting in favor the resolution is declared carried. Ayes-5 (Arsenault, Goodspeed, Stevens, VanKeuren, Thomas) Nays – 0

A motion to adjourn the meeting was presented by Mr. Goodspeed with a second from Mr. Arsenault at 8:57pm. With all members voting in favor the resolution is declared carried. Ayes-5 (Arsenault, Goodspeed, Stevens, VanKeuren, Thomas) Nays – 0 Meeting Closed.

The next regular Town Board meeting will be held at 7:00pm on August 7, 2007 at the Wevertown Community Center, Wevertown, NY. There will be a Public Hearing on amendments conditioning the A.P.A. acceptance of the Proposed Local Laws comprising the Land Use Plan at 6:30pm on August 7, 2007 at the Wevertown Community Center, Wevertown, NY.

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Prepared by William Rawson, Town Clerk