

**Minutes of the Town of Johnsbury Regular Board Meeting April 1, 2008  
Held at the Wevertown Community Center, Wevertown, NY**

Minutes of the regular meeting of the Town Board of the Town of Johnsbury held on Tuesday, April 1, 2008 at 7:00pm at the Wevertown Community Center, Wevertown, NY Supervisor Goodspeed called the meeting to order at 7:00PM and the pledge to the flag was led by Councilman Eugene Arsenault.

Roll call showed the following persons present: Supv. Sterling Goodspeed; Town Councilmen/ Eugene Arsenault, Frank Morehouse, Jr., Arnold Stevens, and Ronald Vanselow; Town Clerk/ William Rawson.

Guests: On attached list

**RESOLUTION NO. 69**

Mr. Morehouse presented the following resolution, with a second from Mr. Arsenault, to accept the minutes of the March 11, 2008 regular Town Board meeting and the minutes of the March 18, 2008 regular meeting as written. With all members voting in favor, the resolution is declared carried. Ayes-5 (Arsenault, Morehouse, Stevens, Vanselow, Goodspeed) Nays - 0

**CORRESPONDENCE:**

1. A letter from Senator Elizabeth O’C. Little thanking the Town of Johnsbury for expressing opposition to the proposal in the Governor’s budget to eliminate elected tax collectors and mandate the position become an appointed one.
2. A letter from Assembly Minority Leader James Tadisco thanking the Town of Johnsbury for expressing opposition to the proposal in the Governor’s budget to eliminate elected tax collectors and mandate the position become an appointed one.
3. A letter from Assemblywoman Teresa Sayward thanking the Town of Johnsbury for expressing opposition to the proposal in the Governor’s budget to eliminate elected tax collectors and mandate the position become an appointed one.

**COMMITTEE REPORTS:**

Supv. Goodspeed asked Mr. Vanselow to report on the progress of the committee on looking into inclusionary zoning being added into the Local Land Use Plan.

**OLD BUSINESS:**

Supv. Goodspeed informed the Town Board and the public that he planned to move quickly through the first portion of the agenda and then spend substantial time on a discussion of the park grant item.

Supv. Goodspeed introduced noted that Mr. Edward Tuttle, Zoning Enforcement Officer, and Town Attorney Jordan were to have met for a discussion regarding the best way to proceed on four properties which have raised major health related complaints; the properties are located on Main Street in North Creek, on Back to Sodom Road in Sodom, on Goodman Road in Johnsbury, and on South Johnsbury Road in Johnsbury. Mr. Tuttle informed the Town Board that he had met with Attorney Jordan. Attorney Jordan explained that all four properties have been inspected by the Town Health Officer, Dr. Ruge; Mr. Tuttle has notified all property owners of the deficiencies in their properties. Attorney Jordan explained that the problem is with

owners who either will not or cannot take steps to correct these deficiencies in their properties. Attorney Jordan presented two options of how to proceed against the owners to the Town Board. The first option is to proceed against the owners in Town Justice Court; this would result in a financial judgment against the owners, if the property is not cleaned up and may not achieve the desired cleanup of the property. The second option is for the Town to file a Supreme Court action and ask the court to approve a Town cleanup and to give the Town the right to sell any violating items in an attempt to recoup the costs of cleanup and additionally, to allow the balance of the cost of the cleanup to be added to tax bill for the property. Mr. Tuttle added that two of the property owners are attempting a cleanup and that two are not trying to clean up their properties; he would like the Town Board to allow him to have Town Attorney Jordan proceed with Supreme Court actions against the two owners who are not attempting a cleanup. Attorney Jordan outlined the procedure involved in a Supreme Court action of this type. Mr. Vanselow asked Mr. Tuttle if he thought that there was sufficient material to be sold to impact the cleanup costs; Mr. Tuttle answered that he was not sure of the costs. Mr. Vanselow also asked if Dr. Ruge had examined the properties recently and if the residences were habitable; Mr. Tuttle answered that some time had passed since the last inspections and that he would not live in the residences. Mr. Stevens asked the probable result of a Supreme Court action; Attorney Jordan answered that the court would probably issue a directed judgment and allow a lien for the cost of the cleanup and that a foreclosure would be the probable result. Mr. Vanselow asked the time frame involved in pursuing the Supreme Court action; Attorney Jordan said that he would request Dr. Ruge revisit the properties and issue a report. Attorney Jordan would then send a letter to the property owners requesting remediation with a one week period to answer; if no satisfactory result occurred he would proceed by filing the action in Supreme Court. Attorney Jordan anticipated approximately two or three weeks prior to filing the action if needed; the time frame in court following the filing was not predictable. Mr. Robert Nettle asked why not use the Land Use law rather than the health law; Attorney Jordan answered that the Land Use law is punitive and allows no flexibility of application, the health law allows the action in Supreme Court to allow a Town cleanup and the chance of recouping the cost. Mr. Vanselow asked if a resolution was required for Mr. Tuttle and Attorney Jordan to proceed with the Public Health law remedy; Attorney Jordan replied that the Town Board would need to move to direct that a cleanup action occur. Supv. Goodspeed said that setting a precedent of supporting the cleanup was important.

#### RESOLUTION NO. 70

Mr. Vanselow presented the following resolution and moved its passage with a second from Mr. Arsenault to authorize Town Attorney Jordan and Zoning Enforcement Officer, Edward Tuttle to move forward with due diligence and haste to pursue an appropriate remedy to achieve a cleanup of the Goodman Road and South Johnsbury Road properties on which complaints had been received; the Town Board further directs that Town Attorney Jordan and Zoning Enforcement Officer Edward Tuttle make regular reports to the Town Board of the costs and of progress made in this issue. With 5 members voting in favor the resolution is declared carried. Ayes-5 (Arsenault, Morehouse, Stevens, Vanselow, Goodspeed) Nays - 0

Supv. Goodspeed informed the Town Board that Vince Schiavone, Chairman of the Youth Committee, had forwarded a set of By-Laws for that committee and asks that the By-Laws be approved to replace the current By-Laws which the committee has been unable to find. Supv.

Goodspeed said that he had looked the By-Laws over and found them to be reasonable; he recommended that Town Board authorize the acceptance of the By-Laws subject to the approval of the Town Attorney.

#### RESOLUTION NO. 71

Mr. Arsenault presented the following resolution and moved its passage with a second from Mr. Stevens to authorize the acceptance of the Town of Johnsbury Youth Committee By-Laws dated March 30, 2008 (attached pages 3a and 3b) to replace any and all prior Town of Johnsbury Youth Committee By-Laws; and further that this approval is subject to the approval of the Town Attorney. With 5 members voting in favor the resolution is declared carried. Ayes-5 (Arsenault, Morehouse, Stevens, Vanselow, Goodspeed) Nays - 0

Supv. Goodspeed reported that there has been a great deal of rumor in the public as to the financial condition of the Adirondack Tri-County Nursing and Rehabilitation Center. Supv. Goodspeed is working with other area leaders, including Senator Little and Assemblywoman Sayward, to assist the Adirondack Tri-County Nursing and Rehabilitation Center to work through the financial challenges; he added that rumors of imminent closure are not correct.

Supv. Goodspeed reminded the Town Board that on March 18<sup>th</sup> Resolution Number 64 was passed that authorized the Town Supervisor to execute an agreement between the Town of Johnsbury and Johnsbury Youth Baseball to place youth baseball under the auspices of the Johnsbury Youth Commission following discussions with and the approval of the Town Attorney. In the same resolution the Town Board also agreed to obtain insurance for Johnsbury Youth Baseball with the understanding that Johnsbury Youth Baseball will pay for the added insurance expense if one is incurred. Supv. Goodspeed informed the Town Board that he had received a communication from Mr. Peter Olesheski about having the Friends of the Town of Johnsbury Parks manage the Johnsbury Youth Baseball funds and requesting that the Town Board approve that the Friends of the Town of Johnsbury Parks manage the funds and also be able to seek funding for the Johnsbury Youth Baseball program through the Friends of the Town of Johnsbury Parks. Supv. Goodspeed asked if the Town Board wished to approve the resolution.

#### RESOLUTION NO. 72

Mr. Stevens presented the following resolution and moved its passage with a second from Mr. Arsenault that the Town of Johnsbury recognizes Johnsbury Youth Baseball as a program which promotes the use and improvement of the Ski Bowl Park, and to give the committee consent to seek funding for the program through the Friends of the Town of Johnsbury Parks, Inc. With 5 members voting in favor the resolution is declared carried. Ayes-5 (Arsenault, Morehouse, Stevens, Vanselow, Goodspeed) Nays - 0

Supv. Goodspeed next updated the Town Board on the Highway Budget. A comparison between the first quarter of 2007 and 2008 has been done; the first quarter of 2008 has cost \$28,000.00 more than the same period in 2007. Supv. Goodspeed attributes this increase to the 2008 winter season's numerous storms and the rising cost of fuel. Supv. Goodspeed said that he will be watching this situation; he noted that the Warren County D.P.W. in the first quarter of 2008 had expended eighty percent of its salary budget, seventy-six percent of its overtime budget

and ninety percent of its supply budget. Mr. Vanselow noted that the county will also have a large highway repair bill. Supv. Goodspeed said that there had been complaints about the condition of both Town and County roads; the cause of most of the complaints has been the previously mentioned weather events.

Supv. Goodspeed informed the Town Board that he had met with Mr. LaPlant to evaluate sites in the Town for towers for cell phone service. Mr. LaPlant or representatives from the C.A. Smith Company will be present at the April 22<sup>nd</sup> Town Board meeting to discuss a tower site at the Transfer Station; Supv. Goodspeed added that if the site was used that it could include a revenue stream of approximately \$900.00 per month.

Supv. Goodspeed updated the Town Board on the Smart Growth Grant Program applications. The NYS Department of Environmental Conservation said that fifty-one proposals were made for the Smart Growth Grant Program, from which eighteen were chosen for funding; all requests by the Town of Johnsburg were not funded.

Supv. Goodspeed updated the Town Board on the \$32,000.00 of insurance funds which the insurance carrier held back in the settlement from the fire at the Ski Hut; the funds were to be paid to the Town when the building was rebuilt. Some grant money originally intended for the rebuilding of the Ski Hut had to be diverted to the “soft start” for lifts and lights at the Ski Bowl Park, leaving the National Grid grant (\$130,000.00 to \$250,000.00) as the only funding source for rebuilding the Ski Hut. The Ski Hut building cost would be much higher and there is no estimate of when sufficient funds would be available and following discussions with the insurance company Supv. Goodspeed added that the withheld funds may not exist by the time sufficient funds are assembled. Mr. Arsenault said that the funds belong to the Town not the insurance company and asked if a significant renovation of the pavilion would release the funds. Supv. Goodspeed replied that he had had a discussion with a representative of the insurance company and that option was discussed; it was not clear if the company would find that option acceptable. Town Attorney Jordan will send a letter to the insurance company regarding a substantial renovation of the pavilion as discussed by Mike Pratt, O.R.D.A. Manager of Gore Mt., at the March 18<sup>th</sup> Town Board meeting; Supv. Goodspeed will ask Mike Pratt to come to the April 22<sup>nd</sup> Town Board meeting for further discussion of the proposal.

Supv. Goodspeed informed the Town Board that the adjusted fire contracts for the Johnsburg Fire Protection Districts were sent to the companies. A subsequent problem was found with the resulting contract and some Fire Chiefs requested an additional change; Supv. Goodspeed stated that he made the requested change following a discussion with the Town Attorney to expedite a coverage commitment.

Supv. Goodspeed reported that as a result of the Comlinks project and the proposed Front Street Mountain Development that the North Creek Water District needed additional water supplies; the Water District is hovering near the compliance level as set by the NYS Department of Health. As a result the Water District needs to have Well #4 brought on line as soon as possible; it was scheduled to be connected in June of 2007. Supv. Goodspeed has had discussions with Town Attorney Jordan, Water District engineer James Hutchins, and Front Street Mountain Development personnel about the slow progress; the result of the talks is that

the contracts have been awarded and work on the water lines will begin as soon as the weather allows. Mr. Robert Nettle asked if the well was drilled. Attorney Jordan replied that the well was drilled and the test results approved; the holdup is to lay the connection lines.

Supv. Goodspeed updated the Town Board on the Kellogg Property in North Creek. Supv. Goodspeed explained that the property was discussed at a meeting at the Municipal Center today (April 1). The property currently owned by the Open Space Institute will soon be transferred to Warren County ownership. The Open Space Institute has some deed restrictions which it will insert in to the transfer agreement; these restrictions seem to be on the allowable uses and would include museums and not-for-profit entities. The exact wording of the agreement has not yet been agreed upon. The Town of Johnsburg share of the grant which is for work on the Kellogg property is \$250,000.00 and has not yet been awarded. Supv. Goodspeed also noted that the project was the subject of an article in the current issue of Planning.

Supv. Goodspeed passed out copies of an article by William Osborne regarding Hamilton County. The article depicts Hamilton County as representative of the Adirondack Park communities excepting Lake Placid, Saranac Lake, Lake George and possibly Old Forge. The focus of the article is the limited amount of land available to the local governments for taxing or creating economic improvements as it is state owned land paying taxes at a reduced rate, if not wholly exempt. The article also points out that only one of four residences in Hamilton County is a year round, permanent resident. Supv. Goodspeed thought that the article did a fair job of representing the challenges to the Adirondack Park communities continued existence. He added that copies would be available at the Town Hall beginning tomorrow.

#### NEW BUSINESS

Supv. Goodspeed asked the Town Clerk to inform the Town Board as to the state of the trash collection contract. The Town Clerk explained that the trash collection contract has been extended for the additional year allowed under the contract and that the current trash collection contract is expiring; the Town Clerk asked if the Town Board wished to set dates for opening the bids for trash collection as the contract is expiring. After a short discussion the date for opening the bids was set for April 22, 2008, at 7:00pm, at the regular Town Board meeting at the Town Hall (Library), North Creek, NY with one week of advertising.

#### RESOLUTION NO. 73

Mr. Arsenault presented the following resolution and moved its passage with a second from Mr. Morehouse to authorize the Town Clerk to advertise for one week on April 12, 2008 in the North Creek News Enterprise for the collection of garbage with the contract to run from May 14, 2008 to May 13, 2009, with the bids to be opened at 7:00pm at a regular meeting of the Town Board to be held at the Town Hall (Library), North Creek, NY on Tuesday, April 22, 2008. With 5 members voting in favor the resolution is declared carried. Ayes-5 (Arsenault, Morehouse, Stevens, Vanselow, Goodspeed) Nays - 0

Supv. Goodspeed reported on the meeting of the Community Economic Coalition. The group discussed possible economic problems for about two and one-half hours. A steering committee whose members included the following: Anita Abrams, Jean Comstock and Barbara Thomas was established. Supv. Goodspeed noted that if the economic conditions do not worsen in a

severe fashion that these discussions will not be a problem and if they do then planning will be a benefit; he added that the steering committee will be invited to an upcoming Town Board meeting. Ms. Kelly Nettle asked if this group was not a redundant effort of currently existing groups; Supv. Goodspeed said that the local groups have done a great job, however, this group is a proactive precautionary device. The group is looking at existing programs with an eye toward a worst case economic scenario to evaluate possible problems in the current groups, also seek the best ways to advocate for people in need and to help set budget priorities. Mr. Vanselow added that there was also a discussion of a community vegetable garden. Supv. Goodspeed noted that the North Country Outreach Center has reported a twenty percent increase in service requests. The group also discussed wood conversion safety, credit counseling, the effect of \$4.00 per gallon gasoline.

Supv. Goodspeed informed the Town Board that the NYS Department of Environmental Conservation would be conducting a conference on the North Country Woody Biomass Alternative Energy Feasibility Project for Municipal and Institutional Facilities on May 13<sup>th</sup> in Tupper Lake.

Supv. Goodspeed distributed the monthly report of the Zoning Enforcement Officer Mr. Edward Tuttle, for the month of March 2008, to the members of the Town of Johnsbury Town Board.

Supv. Goodspeed noted that Mr. Joel Beaudin, coordinator for the Ski Bowl Park Grant Project (EPF-407083) for the Town Board, had sent a progress report dated March 28, 2008 to the Town Board and the Ski Bowl Park Committee; the report is in the packets of the Town Board members. The grant, awarded November 30, 2007, is in the amount of \$115,820.00 with a 50% match from the town in the amount of \$57,910.00. There are five elements included in the grant as applied for: resurfacing the existing tennis and basketball courts, construction of a new playground oriented toward older children (5 years and up), production and printing of a map and related signage for the walking trails into and about the park and village, purchase and installation of several "skate board modules" to be placed on a portion of the resurfaced courts, and the construction or purchase of an "activity float" for the swimming area. The grant also includes administration and design costs. Town contributions are identified as cash in the amount of \$30,500.00 and \$5,000.00 of in kind services.

Mr. Beaudin explained his report to the Town Board noting that he had attended a meeting on March 4<sup>th</sup> with Mr. John Albert, NYS grant administrator, in the company of Supv. Goodspeed and Ms. Candace Lomax, town accounts clerk. At the meeting Mr. Albert explained that certain portions of the grant could be modified in scope or even eliminated, however, the overall amount of the grant must be met and the state's participation will not exceed \$57,910.00. The grant is good through December 31, 2009 and may be extended through November 11, 2012 by application. The Town contributions can take the form of cash, in kind services, equipment (material) donations as well as volunteer labor.

Mr. Beaudin noted several points for consideration by the Town Board. Regarding the skateboard modules and the activity float there is an insurance issue; the insurance carrier quotes an increase in premium of \$865.00 annually and waivers on file for any minor using the skateboard modules. In a related issue the Town Board may deem it necessary to restrict access to the skateboard modules due to the waiver requirement; a fence for that area would add at least

\$4200.00 to the cost and there is the question of how to restrict the usage to those with signed waivers. Mr. Beaudin estimates that the in kind services and documented volunteer labor can account for approximately \$26,000.00 of the town match of \$57,910.00. Mr. Beaudin added that short of receiving cash grants from either the Assembly or the Senate that the town would need to commit an additional \$1300.00 to complete the project; Mr. Beaudin also noted the available amount of recreation funds and if the Town Board wished to commit all available recreation funds (\$16,000.00) to this project or only the planned amount of \$13,500.00. Also involved in the cash is some Occupancy Tax funding. Mr. Beaudin also noted that Mr. John Albert noted required state agency approvals, including the Adirondack Park Agency (APA).

Supv. Goodspeed noted that there is the question of where the Town Highway and County DPW would dump snow as the planned area for the playground is now used for that purpose; also according to APA maps the area is a wetland area. This would require a permit or non-jurisdictional notice from the APA. Supv. Goodspeed added that the Town Board needs to look at how this will affect the budget cycle and possibly look at using a two year cycle to complete the project. Supv. Goodspeed noted that he frequently is asked about or offered an opinion about the Ski Bowl Park and the projects involved in the grant and wants to include as much public comment as possible. Supv. Goodspeed now opened the discussion to the public and Town Board members.

Ms. Jill Broderick, Ski Bowl Park Committee chairman, described the grant as modest and manageable to accomplish five modest goals by design of the committee. The Ski Bowl Park Committee placed an emphasis on adult and older children to attempt to increase their use of the park and the committee wishes the Town Board to complete the grant project as soon as possible. If minor adjustments are needed then the Ski Bowl Park Committee would ask that the Town Board respect their survey and other public responses in moving forward. Ms. Kelly Nettle noted that last June volunteers accomplished a great deal of work in a short while; the key being momentum. Mr. Mark Bergman and Mr. Peter Olesheski spoke in support of moving forward with the project. Town Attorney Jordan noted the need to follow procurement procedure and to obtain all necessary permits to obtain grant reimbursement. Ms. Andrea McKee, former Ski Bowl Park Committee chairman noted that the Ski Bowl Park Committee had conducted both a survey, with 100 responses and an informational meeting with 60 attendees to collect the ideas which resulted in this grant. She noted that the Ski Bowl Park Committee was not in favor of a fence around the skateboard modules and that according to her research that most insurance carriers do not require waivers or supervision, which she added only add to the liability problem. Ms. Elise Widlund spoke against limiting participation through insurance or fencing; Supv. Goodspeed stated that he was opposed to the removal of fencing as it would limit the safety for parents with younger children. Attorney Jordan explained that the insurance carrier requires waivers for insurance coverage for the Town. Supv. Goodspeed added that the skateboard modules should not be allowed to drive the Town's insurance needs; he added that if waivers are required that the Town needed to enforce the waivers. Ms. Candace Lomax, town accounts clerk, noted that while she was in favor of the project that some budget items are already overextended and that in the future that there is potential for the Town to have more recreational funds which could be made available for the grant. Ms. Lomax added that Occupancy Tax funds may not be available; she also noted that an audit would be required and asked about the cost of an audit. Ms. Kelly Nettle, the writer of the grant said that an audit was included in the amount of the grant; she added that use of the funds from the timbering of the property near The Glen had been discussed as a funding source. Supv. Goodspeed said that he does not believe that

anyone is opposed to performing the grant; he added that budget issues can arise and it may make more sense to perform the grant over two budget cycles. Supv. Goodspeed added that he wants to work carefully with funding to mitigate any budget effects. Ms. Elise Widlund said that possibly some portions could be moved forward with little budget effect. Supv. Goodspeed agreed with that comment; Ms. Kelly Nettle agreed that this would not be a problem. Mr. Lloyd Burch noted that he had worked on a committee in the 1970's to improve the Ski Bowl Park and urged the Town Board to move forward with this project; he added that in his opinion that the skateboard modules were incompatible with the other uses at the park, especially the tennis and basketball courts. William Conner, Johnsbury School Board President, suggested a public referendum on the project; Supv. Goodspeed said that there was no provision for such a vote. Mr. Joel Beaudin asked if the Town Board would be willing to commit recreation fees in the amount of either \$13,500.00 or in the amount of \$16,000.00 to begin the project; Supv. Goodspeed agreed that this would make sense. Ms. Andrea McKee replied that there was never any plan to go into General Fund revenue aside from the \$8500.00 from Occupancy Tax funds; she added that this is an appropriate use of twenty percent of that fund. Supv. Goodspeed replied that if the skateboard modules require an ongoing expenditure for personnel then it is a General Fund expense issue which can affect taxes. Supv. Goodspeed suggested using \$16,000.00 in recreational fees as start up funding and working ahead from that point. Mr. Arsenault asked for the status of the grants from both the Assembly and the Senate; Supv. Goodspeed answered that the grants had been requested, but not yet approved. Mr. Arsenault then acknowledged that the Town Board had approved the grant application and the project; he added that the Town Board had to prioritize the improvements, but he wants to keep the momentum and move forward. Mr. Morehouse added that he does not wish to take a step backward and he asked the amount of available recreation fees; Ms. Lomax answered that the recreation fees were currently at a balance of \$16,000.00 and that more is expected. Mr. Vanselow said that he had seen an expected bill for Tall Timbers in excess of \$40,000.00. Ms. Lomax noted that the entire amount was not entirely recreation fees. Mr. Vanselow noted that the Town had a definite pool of funds in the amount of \$16,000.00; although the Town was not sure of funds from the Assembly and the Senate. Ms. Nettle added that there are other grant possibilities. Mr. Joseph LaRocque asked about the funds from the timbering of the property near The Glen; Supv. Goodspeed said that he would look into the funding from the timbering. Ms. Nettle asked about timbering or sale of the Town property on Goodman Road. Supv. Goodspeed explained that a forester had looked at the property and found little timber to be sold; he added that the real estate market was poor for a property sale. Ms. McKee said that the project needed only the original \$13,500.00 and the \$8,500.00 in Occupancy Tax funds. Mr. Stevens said that the Town Board should commit the previously agreed \$13,500.00 in recreation fees and the \$8,500.00 in Occupancy Tax funds; or its equivalent from the timbering revenue. Supv. Goodspeed asked if the Ski Bowl Park Committee and Mr. Beaudin would be prepared to move forward with a commitment of \$22,000.00; those present of the Ski Bowl Committee and Mr. Beaudin expressed satisfaction with this level of funding. Supv. Goodspeed said that he would have the information on the timbering funds as well as the Occupancy Tax Committee recommendations at the April 22<sup>nd</sup> Town Board meeting.

Supv. Goodspeed recognized the Town Clerk to let the Town Board know that he will be taking a vacation following the end of the tax collection period. The Town Clerk will be on vacation from April 16<sup>th</sup> through the 18<sup>th</sup>; office hours will be changed to 10:30 to 4:00 for the

vacation period and the Deputy Town Clerk will be in the office those hours; no NYS Department of Environmental Conservation Sporting Licenses will be available during the vacation period.

#### PRIVILEGE OF THE FLOOR

Mr. Joel Beaudin asked for clarification of the utility costs in the older pavilion at the Ski Bowl Park when the building and tubing hill are being used by O.R.D.A.; he noted that the operating agreement seemed confusing as to this point. Supv. Goodspeed answered that the agreement says that the Town provides the funds to build a replacement Ski Hut and that O.R.D.A. will assume the operating costs; he added that if there is a renovation of the old pavilion that he will request that this portion of the operating agreement be extended to cover the renovated older pavilion as well.

#### RESOLUTION NO. 74

Mr. Vanselow 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 #7G/Claims #122-137; Highway Fund- Warrant #7H/Claims #66-70; North Creek Water Dist.- Warrant #7W/Claims#31-32. With 5 members voting in favor the resolution is declared carried. Ayes-5 (Arsenault, Morehouse, Stevens, Vanselow, Goodspeed) Nays - 0

A motion to adjourn the meeting was presented by Mr. Vanselow with a second from Mr. Stevens at 10:00pm. With 5 members voting in favor the motion is carried. Ayes-5 (Arsenault, Morehouse, Stevens, Vanselow, Goodspeed) Nays - 0

The next regular Town Board meeting will be held at 7:00pm on April 22, 2008 at the Town Hall (Library), North Creek, NY.

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Prepared by William Rawson, Town Clerk