

BOLTON TOWN BOARD

Call To Order: 7:00 pm

December 4, 2012

Pledge: Rob MacEwan

Regular Meeting:

Supervisor Ronald Conover  
Councilman Robert MacEwan (absent)  
Councilman Owen Maranville  
Councilmember Cheryl Bolton  
Councilmember Susan Wilson  
Deputy Town Clerk Penny Cleavland  
Counsel Michael Muller

Minutes: Approve Minutes of Town Board Meeting held Tuesday, November 6, 2012.

**RESOLUTION #221**

Councilmember Wilson moved, seconded by Councilman Maranville to approve the Minutes of the Town Board meeting held Tuesday November 6, 2012. All in Favor. Motion Carried.

Board of Health

- Variance application by Sisca and Sisca LLC, this application was tabled on 8/7/2012 and the public hearing kept open. **Note: (there will be no review or action take on this application at the December 4, 2012 meeting of the Bolton Town Board and the public hearing will remain open).**
- SEQRA Environmental Assessment Finding
- Resolution regarding variance request by Sisca & Sisca LLC (Francis Sisca)

Bolton Town Board

Public Hearing: None

Public in Attendance:

Zandy Gabriels stated that the public boards are required to provide public notification of meetings, allocation of funds, etc. He asked if the Lake George Asian Clams Rapid Response Task Force would fall within some of the same parameters with regard to public notice of plans and especially of expenditure of public funds. Supervisor Conover stated that he will get information on that in terms of Freedom of Information as well in terms of allocation of public funds. Zandy Gabriels stated that he is concerned because the Task Force has dispersed some funds and it is unclear where money is going or how it is being used.

Correspondence:

- Leona Denne, Bolton Central School regarding adopt a highway project for 9N as a community service project.

Supervisor Conover stated that he put her in contact with our regional person for the program. Safety wear would be provided by NYSDOT under their adopt a highway program.

- John S. Mucha, Director of Governmental Relations Time Warner Cable regarding possible modifications to TWC programming.
- Tod Beadnell PE, Deputy Superintendent of Operations for Warren County DPW regarding contract with Warren County for Snow and Ice Removal.
- David Kidera, Director NYS Authorities Budget Office to Mr. Michael Borgos, Economic Development Corporation notice regarding requirements of public authorities' law and need to comply with PARIS reporting system and provisions of the law.
- Merrie Lynn Streeter, RN, BS Director of Occupational Health, Standard Medical Services regarding 2013 contract for medical, drug and alcohol testing services.
- LGSA- Audits, Office of State Controller, regarding New Piggybacking Law addition to General Municipal Law S103 that authorizes political subdivisions to purchase apparatus, materials, equipment and supplies through use of contracts let by the United States or any agency thereof, any state or any other political subdivision or district therein.

Supervisor Conover stated that this is something we are looking at. He has spoken with the County Purchasing agent and this is something we may want to incorporate into our purchasing policy. He explained that when a municipality goes out to bid for a project or piece of equipment, for example when we went to bid for the compactor, another municipality can see that we went through the bid process, and that municipality would be able to contact those companies at those prices. He stated that it is an interesting efficiency to the purchasing process that we will be looking at.

- Debra LaBelle, Chief Consumer Outreach and Education Office of Consumer Policy, NYS Department of Public Service regarding energy efficiency and financial assistance outreach assistance.  
Mr. Conover stated this information is posted on the board.
- Elaine Chiovarou-Brown, Office Manager Bolton Landing Chamber of Commerce regarding 2013 Farmers' Market at Blessed Sacrament Church beginning, Friday, June 28 through August 30, 2013.
- Deanne Rehm email recommending county approve Sara Frankenfeld's plan to replace the current GIS program to incorporate universal data (program change also supported by Dave Rosebrook).

Supervisor Conover stated that this made it through the County Committee and will be brought before the full Board. He expects that it will receive full Board approval.

- Alex Jeyschune, President, Diamond Ridge Homeowners Association regarding issues

- and misrepresentations by John Gramegna regarding his business operations.
- Kate Mance, Senior Transportation Planner, Adirondack/Glens Falls Transportation Council regarding Make the Connection Program.
- Jill Siegfried, Saratoga Springs Facilities use permit for picnic activity for wedding at Rogers Park with food to be provided by a food truck for Saturday, June 1, 2013.
- Jane K. Gabriels, Green Island copy of letter to Tom Guay, Manager Sagamore Hotel regarding storm water runoff from parking lot at the Hotel that floods our driveways and condition of Green Isle Lane on Sagamore Hotel property and offer to work with the Hotel and assist with expense of 25 feet her family owns when Hotel repairs the road.

Supervisor Conover stated that he called Tom Guay regarding this issue and he indicated that he would get back to Mrs. Gabriels.

- Andrew Luce, Environmental Engineer NYS DEC regarding discharge monitoring report through September 30, 2013 and that discharge levels for phosphorus during this test did not meet SPDES permit.
- Dave Wick, Executive Director LGPC regarding special meeting held on Tuesday, November 13, 2012 at Fort William Henry related to invasive species.
- Dave Wick, LGPC regarding clarifications to news story regarding invasives.
- Kate Johnson, Warren County Tourism Department regarding opportunity to post pictures and place brochures of Bolton at the new Warren County Visitor Center at the Adirondack Factory Outlet Mall.

Supervisor Conover stated that he is working on that with the Chamber on getting pictures and business flyers at this location.

- Marc S. Migliore, Deputy Regional Permit Administrator NYSDEC stating no DEC permit required for floating docks at Veterans Park.
- Douglas W. Miller, Project Administrator, APA regarding possible adjacent wetlands relating to proposed floating docks at Veterans Park recommending meeting.
- Wauneata Waller, Director of Bolton Chamber thank you letter to the Town for use of the Town Hall for Girls' Day Out.

#### Committee Reports:

##### **Councilman Owen Maranville**

Justice Court- Hon. Harry Demarest took in \$4,465 and Hon Edward Stewart took in \$4,305. Total monies forwarded to the Town amounted to \$8,770. Itemized lists are available for review in the Court.

Assessor- The computer files was updated daily to keep up with deed transfers and address changes. Regarding sales the trend seems to be indicating more sales are taking place than in past years. Since July 1, he now has recorded a total of 20 arm's length sales. During November, he continued to work on new construction field work. On Veterans Day, he completed his island work just in time to take the boat out of the water. On November 3<sup>rd</sup>, he attended a GIS meeting to discuss our future needs and to where the County program

will go.

A web based site is planned and will hopefully be developed to meet our needs. On November 20th, he attended a class on creating valuation models as taught by GAR, one of the private valuation companies. On November 27th a trial over a boundary line dispute had subpoenaed him to attend with information regarding the map changes made. The trial was adjourned to a later date. Dave will be on vacation from 12/7 to 12/15. During those dates, his clerk, Deb MacEwan will be in the office most days for coverage.

Police Department- They patrolled 2187 miles and used 173.2 gallons of fuel. An itemized list of all the calls answered are available for review.

On 11/19 Officer Keane responded to a residence where a 13 year old female with a troubled past was making suicidal statements. The girl's mother and 15 year old sister were also present. Officer Keane, after speaking with all the parties, transported the family to Glens Falls Hospital so the girl could be evaluated and receive help. On 11/20 a message was left on the Bolton Police Department's voicemail from the Mother, as follows: "Yes, my name is (name withheld to protect family privacy) and I know you guys usually get calls in regards how negative things are, but I would just like to compliment you on Officer Keane. He's an amazing man and I really want to thank him for his help with myself and my daughter, and he's a wonderful, amazing Officer and he deserves much respect and much thanks. Thank you and have a nice day."

#### **Councilmember Susan Wilson**

Planning Department- 9 members of the ZBA attended a workshop given by Mark Schachner at the Town Hall. This was part of their required training. Councilmember Wilson stated that it was very successful and she received a lot of positive feedback. Lake George was invited and one member attended. She plans to do this type of training again next year. She found it to be very informative and helpful for the local members to sit and talk about local matters.

Code Enforcement Officer- 14 page report detailing the 20 site visits she conducted, which is available for review.

At the November meeting the Planning Staff identified a property with a septic system problem. Property located at 251 New Vermont Road, no longer has a septic system and there is someone living in the home. During the discussion they talked about allowing an alternate system on the property and she wanted to get some feedback from this Board. This property used to have a system that was filled in by the Town and they need some sort of alternative system. Supervisor Conover stated that the alternate system would have to come before this Board for approval as well as approval from the Town Engineer. He suggested that the Code Enforcement Officer accompany the Board of Health doctor to review the situation. Councilman Maranville stated to have Dr. Smead send a letter to the occupant so there would not be any barriers that would hinder Dr. Smead's investigation. Code Enforcement Officer to contact Dr. Smead.

Library- Councilmember Wilson reported December 19 the Friends of Library winter

reading. Councilmember Wilson will be reading.

Seniors- They hold their business meeting on the first Wednesday of each month.

### **Councilmember Cheryl Bolton**

Recreation Commission- Monthly meeting will be held Thursday December 6<sup>th</sup>.

Membership update- there is a resignation from Vincent Palazzo and 2 seats that are up for re-appointment and are interested in serving again; Don Russell and Joan Baldwin. The winter activities are up and running, she will have more of a report after the 6<sup>th</sup>

Parks- Winterization of the parks, bathrooms and museum as well as winterization of Main Street. Power has been moved, added trench and a new pedestal for new lines has been put at Veterans Park and the old existing building is being cleaned out, it will be taken down and removed.

Fire District- meeting 12/6. District Elections will be held December 11<sup>th</sup> from 6-9pm. They have one seat open, which is Wesley Huck will not be running for re-election.

Bolton EMS- is struggling with staffing issues. Harold Shippey provided them billing information and Earl Merlowski has provided activity information. He has reported that their busiest time is from May to October when they took a total of 224 calls. Payments through their billing service amounted to \$64,892.78 (\$33,983.40 in October) In October they took in 14 calls which is down from last year which was 41 calls. However they were covering a lot of Hague last year. Recently they have found out that North Warren EMS is not up and running which has caused some manpower issues. She provided further details. She stated that they have 7 paid employees but all are part-time to handle the coverage. They are also dealing with space issues for the paid personnel when the firehouse is in use.

### Supervisors Report:

- Receipts: \$1,121,878.49
- Disbursements: \$404,653.26
- Warren County Sales Tax receipts for October were down \$96,524.43 or -2.8% (may be a timing issue on filing).
- New restrooms at Rogers Park
- Big Thank You to Willie Bea McDonald and all the volunteers that took down the Fall decorations and put up the Christmas Decorations. The Town looks great! Thank you to all involved.
- Annual Christmas caroling with take place December 16, 2012, Sunday afternoon 1-4:00 pm.
- Thanksgiving Lunch at the Bolton Nutritional Site, terrific lunch, very well attended
- Big Thank you to Willie Bea McDonald and everyone that helped to make the Bolton Christmas Tree Lighting on Sunday, December 2, 2012, 2-4:00 pm. Such a terrific event.
- Big Thank you to Mariann Roberts Huck and Deanna Roessler for the Craft Day at the Volunteer Fire Company hosted by the Bolton Firemen's Ladies Auxiliary (kid's had a

- great time).
- NYS Comptroller Office visit and review of Bolton financial information regarding our tax cap submittals to the State for 2012 and 2013, including supporting documents, everything was as it should be.
  - Update on CDPHP Medicare supplement health insurance plan proposal for 2013 (We have requested additional information from Jaeger Flynn Associates and also sent a copy to Rich Blair & CSEA for their review and comment).
- Supervisor Conover stated that when they are ready we can hold an informational meeting for our retirees.

Old Business / Tabled Resolutions:

- Solar Project: No report
- 824 Trout Lake Road

Counsel Muller was sent correspondence from the attorney representing the purchaser of this property, who indicated that he has some issues with the title to the property at 824 Trout Lake Road. This attorney indicated that he thought this issue would be resolved in the next two weeks and would be in contact with Mr. Muller.

- Dry Hydrant on New Vermont Road

The equipment did not have the reach to install the hydrant given the new water levels. This project may have to wait until spring.

New Business:

- Resolution authorizing Friday, December 28, 2012 at 7:00pm for the year end meeting of the Bolton Town Board.

**RESOLUTION #222**

Councilman Maranville moved, seconded by Councilmember Wilson to authorize Friday, December 28, 2012 at 7:00pm for the year end meeting of the Bolton Town Board. All in Favor. Motion Carried.

- Resolution approving 2013 Warren County Snow and Ice Removal Contract and authorizing Bolton Supervisor to enter into any and all required agreements related to the 2013 Snow and Ice Removal Contract.

**RESOLUTION #223**

Councilmember Wilson moved, seconded by Councilman Maranville approving 2013 Warren County Snow and Ice Removal Contract and authorizing Bolton Supervisor to enter into any and all required agreements related to the 2013 Snow and Ice Removal Contract. All in Favor. Motion Carried.

- Resolution authorizing Supervisor to sign 2013 contract for service with Standard Medical Services for medical, drug and alcohol testing services.

**RESOLUTION #224**

Councilmember Bolton moved, seconded by Councilmember Wilson authorizing Supervisor to sign 2013 contract for service with Standard Medical Services for medical, drug and alcohol testing services. All in Favor. Motion Carried.

- Resolution authorizing Supervisor to enter into service contract with Jack Hall Plumbing and Heating, Inc. for 2013 for Town buildings.

**RESOLUTION #225**

Councilmember Wilson moved, seconded by Councilman Maranville authorizing Supervisor to enter into service contract with Jack Hall Plumbing and Heating, Inc. for 2013 for Town buildings. All in Favor. Motion Carried.

- Resolution authorizing Supervisor to sign any and all insurance contracts with Marshall Sterling for Insurance coverage for the Town for 2013.

**RESOLUTION #226**

Councilmember Bolton moved, seconded by Councilmember Wilson authorizing Supervisor to sign any and all insurance contracts with Marshall Sterling for Insurance coverage for the Town for 2013. All in Favor. Motion Carried.

- Resolution approving request by the Bolton Landing Chamber of Commerce regarding 2013 Farmers' Market at Blessed Sacrament Church parking lot every Friday beginning, June 28 through August 30, 2013.

Councilmember Wilson asked if it will be for the same time frame 9am-1pm. Supervisor Conover replied yes. He added that this is a wonderful addition to their summer program and a great location.

**RESOLUTION #227**

Councilman Maranville moved, seconded by Councilmember Wilson approving request by the Bolton Landing Chamber of Commerce regarding 2013 Farmers' Market at Blessed Sacrament Church parking lot every Friday beginning, June 28 through August 30, 2013. All in Favor. Motion Carried.

- Resolution authorizing 2013 Town of Bolton Regular Meeting schedule per dates provided by the Town Clerk's Office.

**RESOLUTION #228**

Councilman Maranville moved, seconded by Councilmember Bolton authorizing 2013 Town of Bolton Regular Meeting schedule per dates provided by the Town Clerk's Office. All in Favor. Motion Carried.

- Resolution regarding request by Jill Siegfried, Saratoga Springs, Facilities use permit for picnic activity for wedding at Rogers Park with food to be provided by a food vending truck for Saturday, June 1, 2013, 11:30 am to 3:00pm (100-150 people,

Veterans backup if Rogers unavailable).

Supervisor Conover stated that the applicant is aware that there are no real reservations since it is a public park. He brought this to Board because of the request of bringing a vendor's truck. Councilman Maranville stated that he thought that any vendors would be required to have a peddlers permit. Counsel Muller read the ordinance...didn't qualify because they are not selling from the truck. Supervisor Conover stated that we are not typically in favor of vending food in the parks. Additionally it is difficult to regulate and it is hard to find a place to put the vehicle. Given the timing and that it is early enough in the season it may not be an issue. He asked Councilmember Bolton her opinion.

Councilmember Bolton stated that this is still considered off season. This seems to be acting more like a catering business for the day. She stated that given the nature of the activity that they go ahead. However she would like some clarification on what they are hauling and how much room they will need. Additionally the applicant needs to know that they can only park on the pavement and to stay off the grass.

Councilman Maranville stated that it also needs to be known that this is not for the general public; they are not to be making a profit on top of providing the food for the wedding.

**RESOLUTION #229**

Councilmember Bolton moved, seconded by Councilman Maranville to approve request by Jill Siegfried, Saratoga Springs, Facilities use permit for picnic activity for wedding at Rogers Park with food to be provided by a food vending truck for Saturday, June 1, 2013, 11:30 am to 3:00pm (100-150 people, Veterans backup if Rogers unavailable), with the condition that the vendor parks on the pavement only. All in Favor. Motion Carried.

- Resolution appointing Herb Koster to the Bolton Planning Board, for a term to expire 12-31-2019.

Councilmember Wilson stated that she has had the pleasure of working with Herb Koster. He is a great Chairman and Planning Board member, she highly recommends reappointment.

**RESOLUTION #230**

Councilmember Wilson moved, seconded by Councilman Maranville to appoint Herb Koster to the Bolton Planning Board, for a term to expire 12-31-2019. All in Favor. Motion Carried.

- Resolution appointing Jeff Anthony to the Zoning Board of Appeals, for a term to expire 12-31-2019.

Councilmember Wilson stated that Jeff is an outstanding Board member and recommends reappointment.

**RESOLUTION #231**

Councilmember Wilson moved, seconded by Councilmember Bolton to appoint Jeff

Anthony to the Zoning Board of Appeals, for a term to expire 12-31-2019. All in Favor. Motion Carried.

- Resolution appointing Joan Baldwin to the Bolton Recreation Commission for a term to expire 12/31/17.

**RESOLUTION #232**

Councilmember Bolton moved, seconded by Councilmember Wilson to appoint Joan Baldwin to the Bolton Recreation Commission for a term to expire 12/31/17. All in Favor. Motion Carried.

- Resolution appointing Don Russell to the Bolton Recreation Commission for a term to expire 12/31/17.

**RESOLUTION #233**

Councilmember Bolton moved, seconded by Councilman Maranville to appoint Don Russell to the Bolton Recreation Commission for a term to expire 12/31/17. All in Favor. Motion Carried.

- Resolution authorizing Supervisor to execute service agreement with Schoder River Associates for professional services relating to soil probe, elevations and project services in an amount not to exceed \$4,455.50 for the south crib dock at Veterans Park.

Supervisor Conover stated that this work is necessary to see what type of docking system we will use.

**RESOLUTION #234**

Councilman Maranville moved, seconded by Councilmember Bolton authorizing Supervisor to execute service agreement with Schoder River Associates for professional services relating to soil probe, elevations and project services in an amount not to exceed \$4,455.50 for the south crib dock at Veterans Park. All in Favor. Motion Carried.

Councilmember Bolton commended Penny Cleavland for carrying a heavy workload in the Clerk's Office.

**Public in Attendance:**

- Mary Owens- asked in reference to the Siegfried wedding if we will be charging for the guests coming in. Supervisor Conover replied yes they are open from Memorial Day weekend and it is paid parking. Councilmember Bolton also stated they would be required to pay as the park is open for business.
- Zandy Gabriels- asked when the organizational meeting will be 1/2/2012 or the following Tuesday? Supervisor Conover stated that it is on January 2<sup>nd</sup> before the TB meeting.

Zandy Gabriels asked about more details regarding the training for the volunteer EMS Critical Care positions. Councilmember Bolton explained that the classes are not available locally, the closest was in Lewis. The classes are for several days a week for 6 weeks,

which was not an option for their current members. She stated that Harold Shippey has drafted a letter regarding the lack of training. However volunteerism is dropping all around which might also be a reason for the lack of training. Zandy Gabriels encouraged the TB to write a letter of support for more local training. Supervisor Conover stated that he would be more than happy to help. He stated that he would contact Harold Shippey to find out what would be best.

Transfers for December, 2012

**RESOLUTION #235**

Councilman Maranville moved, seconded by Councilmember Wilson to approve the following transfers:

GENERAL FUND:

TO:	FROM:	AMOUNT:
1220.1 Supervisor PS	9060.8 Medical Insurance	\$5,000.00
1220.4 Supervisor CE	1990.4 Contingency Account	\$39.00
1650.2 Central Communication EQ	1990.4 Contingency Account	\$702.00
1650.4 Central Communications CE	1990.4 Contingency Account	\$231.00
3310.4 Traffic Control CE	1990.4 Contingency Account	\$12,099.00
7110.1 Parks PS	9060.8 Medical Insurance	\$10,000.00
7110.4 Parks CE	1620.4 Buildings & Grounds CE	\$5,400.00
7180.4 Special Recreation Ballfield	1990.4 Contingency Account	\$21.00
9010.8 State Retirement	9060.8 Medical Insurance	\$4,684.00

HIGHWAY FUND:

TO:	FROM:	AMOUNT:
5110.4 General Repairs CE	9060.8 Medical Insurance	\$15,149.00
5130.4 Machinery CE	9060.8 Medical Insurance	\$10,757.00

SEWER FUND:

TO:	FROM:	AMOUNT:
8110.4 Administration CE	8110.2 Administration EQ	\$449.00
8130.4 Treatment/Disposal CE	8120.4 Sanitary Sewers CE	\$2,486.00
9060.8 Medical Insurance	8120.4 Sanitary Sewers CE	\$3,135.00

TO INCREASE THE BUDGET FOR DECEMBER 2012

7997.4 Trail Master Plan	\$4,141.00	from Unexpended Balance
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All in Favor. Motion Carried.

Motion to Pay Bills:

**RESOLUTION #236**

Councilman Maranville moved, seconded by Councilmember Bolton to approve payment of the following:

<b>Voucher</b>	<b>Amount</b>
<b>November Mid Abstract 11B</b>	

General	1283-1290	1292-1298	\$3055.20
Water	236-237		1061.75
Highway	450		16.54
Sewer	253-256		2967.36
Lights	1291-1313		368.92

**December Abstract**

General	1232-1282	1299-1312	1314-1335	1337-1338	\$171,054.50
Highway	430-449	451-473			109,081.40
Water	227-235	238-249			26,982.13
Sewer	247-252	257-264			24,643.17
Tourism		48			5,000.00
Conservation Park		9			430.53
Lights		1336			4,320.79

All in Favor. Motion Carried.

Executive Session:

Matters involving litigation, matters involving contractual negotiations, Personnel matter involving the employment history of a Town employee.

**RESOLUTION #237**

Councilmember Bolton moved, seconded by Councilman Maranville to enter into Executive Session at 8:09 pm with no further business to attend to. All in Favor. Motion Carried.

Adjourn:

Respectfully Submitted by:  
W.P. Cleavland  
Deputy Town Clerk

Respectfully Submitted by:  
Kristen MacEwan  
Minute Taker