

Town of Bolton

Town Board Meeting

December 1, 2009

PRESENT: Supervisor Kathleen Simmes, Councilmen Robert MacEwan, Jason Saris, Owen Maranville, Councilmember Deanne Rehm, Town Counsel Michael Muller and Town Clerk Patricia Steele.

ABSENT: None

Meeting Called to order 7:02 p.m.

Pledge: Kristen MacEwan

Supervisor Simmes recognized Councilman Jason Saris for his devoted service to the Town of Bolton. She stated that he began by serving with the ZBA from 1991 until the year 2000. From 2001 to the present he has been a Town Board member. While serving on the Town Board he has been instrumental in many improvements to the Town. Councilman Saris is also a member of the Zoning Revisions Committee and the BLDC. She stated that she has appreciated his dedicated service and support especially during her administration. Supervisor Simmes presented him with plaque of appreciation.

Councilmember Saris thanked everyone for the plaque and the appreciation. He stated that he cannot believe how fast the time has gone by. It has been his pleasure to serve this Town, with the past and present Supervisors and Board members. He stated that the Town is very lucky to have this Board work for them. He stated that over all of his years of service, he may have disagreed with a fellow Board member, but he has never come across in an insincere person serving this Town.

Announcements:

Bolton Business Association will be holding their Holiday festivities in Rogers Park on Sunday, December 6th with the lighting of the tree around 4pm. There will also be an art show in the Town Hall on December 5th and 6th.

Public Hearings:

RESOLUTION # 252

Councilman Maranville moved, seconded by Councilman MacEwan to convene as the Local Board of Health. All in Favor. Motion Carried.

Request from Francis McPartland, Parcel # 156.20-1-20, 11 Cottage Lane, seeking the following variances:

Section 3.030B and Table II: No sewage disposal fill system may be located within 200' of the shoreline of Lake George. 190' is proposed.

If a variance is considered for the placement of a fill system within 200' of Lake George the following must be applied.

Section 3.040B5 requiring 5' vertical separation between bedrock and leach field within 1000' of Lake George must be applied. 3' is proposed.

Section 3.030 Table I requires a 10' separation between the property line and toe of the fill slope. 5' is proposed.

Section 3.030 Table I requires a 200' separation between the neighboring well and the proposed up-gradient leach field, 114' is proposed.

Supervisor Simmes asked Pam Kenyon if they received any letters that were of concern. Pam Kenyon replied no. They received one letter from a neighbor who was concerned, but after some further discussion and review they found that there was no issue. Supervisor Simmes asked if the APA had any concerns. Pam Kenyon replied that she does not believe that the APA would be involved with this application. She stated that on October 20, 2009 the ZBA granted the variance to demolish and re-build the single family dwelling. Supervisor Simmes asked if the NYS DOH had any concerns. Pam Kenyon replied that she did not believe that this application would require DOH approval. She stated that past practice has been that it is considered a replacement system even though they are demolishing the current house. Councilman Saris stated that they considered it replacement construction.

Jim Hutchins, representing Francis McPartland, gave details regarding the project. He stated that their design includes an absorption bed located in the northerly portion of the site. The property is located between Pioneer Village Road and Cottage Lane. The proposed wastewater system will be adjacent to Pioneer Village Road. He stated that one of the variances requires that they need to be 200' from an existing well. They are requesting 114'. However, this is an improvement over the existing waste water system which is located approximately 95' from the well. The project has been reviewed by Tom Nace. He has commented on the project and they have addressed his concerns and he now feels satisfied that they have done the best they can given the dimensions of the lot.

Councilmember Rehm asked if the replacement construction of the dwelling would be built in-kind. Jim Hutchins replied that it is pretty much the same. The structure has been rotated 90 degrees and is slightly bigger in square footage, but there is no second floor. Councilmember Rehm asked if the existing system is failing? Jim Hutchins replied that he did not know. Frank McPartland replied that the existing system is basically a hole in the ground. Jim Hutchins stated that the existing system is located in an area where there is shallow bedrock, which would limit the parameter of the proper operation of the existing system.

Councilman MacEwan stated that in reading Tom Nace's letter, items 1-4 seem reasonable and justified; and item 5 seems to be the best that you can do under the circumstances. Jim Hutchins stated that this is an improvement in separation distance and design. He stated that the property size cannot be changed and the separation distance is the best that he can do. He stated that the property line includes most of Pioneer Village Road and they are within 5' of it.

Councilman Saris stated that in past they have conditioned the approval with a required maintenance agreement that is recorded as a covenant in the County Clerk's office. This maintenance agreement provides for a pump out schedule and well testing. This is to insure that the system is working properly. Frank McPartland stated that he would be agreeable to such an agreement. He stated that this system will be a vast improvement to what currently exists. He stated the he has the best neighbors and he would be willing to do whatever to protect them.

Councilmember Rehm stated that some homeowners in Pioneer Village have seasonal community water system. She asked if that system had been abandoned. Frank McPartland stated that they have reverted to a well system for the homes that do not have private wells. He stated that there are 3 wells that supply water to 9 homes. Jim Hutchins stated that this dwelling is serviced by the community well system. Councilmember Rehm asked if the neighbor with the private well could tie into the community well, which would eliminate the potential for contamination. Frank McPartland replied that they would only be able to tie into the community well if they did not have potable

water. Councilmember Rehm asked if the individuals with private wells have them tested periodically. Frank McPartland replied that he knows that this neighbor does have his well tested.

Councilman Maranville asked why they could not meet the 5' vertical separation. Jim Hutchins stated that they are using a fill system. If they go to the 5' separation it will widen the fill slopes which will then increase the variances and reduce the separation distance because they measure the distance from the toe of the fill slope. Jim Hutchins stated that the 2' is the DOH standard and Town standard is 3' outside of 1000' from the lake. Jim Hutchins stated that Tom Nace commented that by providing a full 5' under the entire leach field would result in a larger fill area which would likely require additional setback variances. Since the native soils do not have a rapid percolation rate, there is no indication of seasonal high ground water above the rock and he believes that this request is reasonable and justified.

Councilmember Rehm stated that the reason for the variance would be due to the size of the lot. Counsel agreed. He stated that it is an undersized lot and there are constraints with respect to the topography. Given those considerations this seems to be the most feasible alternative as recommended by the Town Engineer and the applicant. He stated that the motion should deal with the facts of land and the rest should flow into the basic format that was provided. Councilmember Rehm asked if they are required to go through the Short Environmental Assessment Form. Counsel replied yes, they should do that.

Counsel read through the Short EAF submitted by the applicant as follows:

Part 1- Project Information (To be completed by Applicant or Project sponsor)

Applicant Name- Francis McPartland

Project Name- Waste Water system replacement

Project Location- Bolton Landing, Warren County

Precise Location: 11 Cottage Lane, Pioneer Village, Tax Map # 156.20-1-20.

Proposed Action- Modification/Alteration

Describe Project briefly- replacing existing waste water system

Amount of land affected- before and after is .17 acres.

Will proposed action comply with existing zoning or other existing land use restrictions? No, it does not conform in all respects to the local health code requirements.

What is present land use in vicinity of project? Small log dwellings on small parcels.

Does Action involve a permit approval, or funding, now or ultimately from any other governmental agency (Federal, State or Local)? Yes, Town of Bolton ZBA area variances.

Does any aspect of the action have a currently valid permit or approval? No.

As a result of proposed action will existing permit/approval require modification? not applicable

Part II- Environmental Assessment (To be completed by Agency)

Does action exceed any Type I Threshold in NYCRR, Part 617.8? If yes, coordinate the review process and use the FULL EAF. No.

Will Action receive coordinated review as provided for unlisted action in NYCRR, Part 617.8? If no, a negative declaration may be superceded by another involved agency. No.

Could action result in any adverse effects associated with the following:

Existing air quality, surface, or groundwater quality or quantity, noise levels, existing traffic patterns solid waste production or disposal, potential for erosion, drainage or flooding problems? No

Aesthetic, agricultural, archaeological, historic, or other natural or cultural resources, or community or neighborhood character? No

Vegetation or fauna, fish, shellfish, or wildlife species, significant habitats, or threatened or endangered species? no

A community's existing plans or goals as officially adopted or a change in use or intensity of use of land or other natural resources? No

Growth, subsequent development, or related activities likely to be induced by proposed action? No

Long term, short term, cumulative or other effects not identified in C1-C6? No

Other impacts including changes in use of either quantity or type of energy? No

Is there, or is there likely to be, controversy related to potential adverse environmental impacts?

No there is no controversy to the project.

Part III- Determination of Significance (To be completed by Agency)

It has been determined, based on the information and analysis above and any supporting documentation, that the proposed action WILL NOT result in any significant adverse environmental impacts and reasons have been submitted supporting this determination.

RESOLUTION # 253

McPartland, Francis-7 Cross Creek Lane –Stony Point, NY 10980 – Parcel ID#156.20-1-20 – 11 Cottage Lane

The following variances are being sought:

1)Section 3.030B and Table II: No sewage disposal fill system may be located within 200' of the shoreline of Lake George. 190' is proposed.

2) If a variance is considered for the placement of a fill system within 200' of Lake George the following must be applied.

a) Section 3.040B5 requiring a 5' vertical separation between bedrock and leach field within 1000' of Lake George must be applied. 3' is proposed.

b) Section 3.030 Table I requires a 10' separation between the property line and toe of fill slope, 5' is proposed.

c) Section 3.030 Table I requires a 200' separation between the neighboring well and the proposed upgradient leach field, 114' is proposed.

Councilman Maranville moved, seconded by Councilman Saris to approve the variance application of Section 3.030B and Table II and the placement of the fill system within 200' of Lake George for Francis McPartland, 11 Cottage Lane, Tax Map # 156.20-1-20, with the following conditions: 1) that the applicant will enter into a maintenance agreement for a pump out of the system every three years and 2) the testing of wells for the neighboring properties. All in Favor. Motion Carried.

RESOLUTION # 254

Councilman Maranville moved, seconded by Councilmember Rehm to reconvene the regular meeting. All in Favor. Motion Carried.

Zoning Issues:

Sagamore PUD amendments:

Supervisor Simmes asked if the APA is awaiting a decision from the Town. Ben Pratt replied that he received a draft permit from the APA and the only thing outstanding is the approval from the TB.

Ben Pratt stated that they are seeking minor amendments to the PUD in 2 specific areas. He stated that they are seeking 1) to rehabilitate the land side of the steamboat dock and 2) to demolish the current octagonal building and replace it with a slightly larger rectangular building.

Ben Pratt stated that the steamboat dock needs renovation because it can no longer handle the docking of the larger boats. The appropriate permits have been obtained by the LGPC and DEC. Ben Pratt stated that in this rehab of the dock they will be also aesthetically and environmentally improving the land side of the dock. He stated that they will be adding more vegetation which will help from a stormwater aspect. They will be creating some decking which will allow for better use of the space. They are also making this area handicapped accessible. Overall the plan is to greatly improve the circulation and stormwater for this area. He provided more details to the plans.

The second part of the project is to replace the cabana building. Ben Pratt stated that the current building has only one bathroom and provides food and beverage service to the pool and deck area. He stated that the current building is not adequate for the area especially with the addition of the pool. He stated that the existing building and decks consumed approximately 1,000 sq. ft and the new building and decks will consume approximately 1,500 sq. ft. The new building will have 2 bathrooms which will be served by the 6" main that was included in the construction of the pool. Drainage will also be added around the building to handle the stormwater, which did not exist previously.

Ben Pratt stated that they have positive recommendations from the ZBA and PB. The OPRHP has determined that there is no negative historic impact. The NYS Liquor Authority has reviewed the plans and had no concerns. The dock has been reviewed by the DEC and the LGPC who do not have any concerns.

Councilman Maranville asked when the project would start. Ben Pratt replied that the intention is to start to demolish and work on the steamboat dock as soon as they obtain a building permit. He stated that they are putting in the footing and foundations immediately and they hope to be operational in the spring when the resort opens.

Councilman Saris stated that the proposal is not changing or creating any new uses or activities. Everything is consistent with the operation of a resort and hotel.

Councilmember Rehm asked if the construction would require anything more than a certificate of compliance. Pam Kenyon replied no. Pam Kenyon stated that the PB did put 2 conditions on their recommendation: 1) that any exterior lighting be downward facing and shielded and 2) that low calcium concrete be used on the dock.

Supervisor Simmes asked how often the big boats come over. Ben Pratt stated that the Shoreline boats were coming in on a regular basis. He stated that the Steamboat Company has not been able to use this dock because of its condition.

Zandy Gabriels, neighboring property owner, stated that they fully support the project. He stated that his mother, who has a neighboring property, also fully supports this project.

George Goodwin asked if this would require approval of the Army Corp of Engineers. Ben Pratt replied that they would not have to seek approval or review since this is replacement in kind.

Counsel read through the Short EAF submitted by the applicant as follows:

Part 1- Project Information (To be completed by Applicant or Project sponsor)

Applicant Name- Sagbolt, LLC

Project Name- waterfront amenities redevelopment

Project Location- Bolton Landing, Warren County

Precise Location: 110 Sagamore Road, Bolton Landing, NY on Green Island.

Proposed Action- Modification/Alteration

Describe Project briefly- rehabilitating the land side of the steamboat dock, including new walks, benches, fences, lighting and landscaping. Demolishing/replacing the lakeside food service, snack bar buildings and decks.

Amount of land affected- before- 6,700 sq. ft after 6,700 sq. ft.

Will proposed action comply with existing zoning or other existing land use restrictions? Yes

What is present land use in vicinity of project? Commercial as a resort, hotel and conference center.

Does Action involve a permit approval, or funding, now or ultimately from any other governmental agency (Federal, State or Local)? Yes, APA and OPRHP.

Does any aspect of the action have a currently valid permit or approval? Yes an existing Bolton PUD approval and existing APA permits.

As a result of proposed action will existing permit/approval require modification? Yes

Part II- Environmental Assessment (To be completed by Agency)

A. Does action exceed any Type I Threshold in NYCRR, Part 617.8? If yes, coordinate the review process and use the FULL EAF. No.

B. Will Action receive coordinated review as provided for unlisted action in NYCRR, Part 617.8? If no, a negative declaration may be superceded by another involved agency. Yes, APA, ZBA, PB and TB.

C. Could action result in any adverse effects associated with the following:

Existing air quality, surface, or groundwater quality or quantity, noise levels, existing traffic patterns solid waste production or disposal, potential for erosion, drainage or flooding problems? No

Aesthetic, agricultural, archaeological, historic, or other natural or cultural resources, or community or neighborhood character? No

Vegetation or fauna, fish, shellfish, or wildlife species, significant habitats, or threatened or endangered species? no

A community's existing plans or goals as officially adopted or a change in use or intensity of use of land or other natural resources? No

Growth, subsequent development, or related activities likely to be induced by proposed action? No

Long term, short term, cumulative or other effects not identified in C1-C6? No

Other impacts including changes in use of either quantity or type of energy? No

Is there, or is there likely to be, controversy related to potential adverse environmental impacts?

No there is no controversy to the project.

Part III- Determination of Significance (To be completed by Agency)

It has been determined, based on the information and analysis above and any supporting documentation, that the proposed action WILL NOT result in any significant adverse environmental impacts and reasons have been submitted supporting this determination.

RESOLUTION # 255

Councilmember Rehm moved, seconded by Councilman Saris to approve the PUD amendments for Sagbolt, LLC, 68 Sagamore Rd., Parcel ID#171.16-1-16, in keeping with the original intent and that there be no undo adverse impact and has gone through proper channels , both Planning Board and Zoning Board of Appeals locally, that the Town Board should follow suit and approve with the following conditions: 1) that low calcium concrete will be used for the restoration of the steamboat dock and landing; and 2) any exterior lighting will be downward facing and shielded. All in Favor. Motion Carried.

V. Tekmitchov- There is a violation on her property but it is in a stay at the present time while she appears before the ZBA for a variance.

Supervisor Simmes stated that she understands that Ms. Tekmitchov has a contractor coming to remove the I-beam and rock to make room for parking. Ms. Tekmitchov is also going before the ZBA to request a variance for 5 spaces instead of 7 spaces. Supervisor Simmes stated that she, Mitzi Nittmann and Pam Kenyon went over to the property

to try and assist Ms. Tekmitchov with this issue. They found that she could not get the 7 spaces on the property without interfering with the Congers Point driveway. Pam Kenyon stated that the only way she could get 7 spaces would be to use the garage, which is not usable.

Other Issues:

VanWart & Baer request for sewer service. Contracts are still be negotiated with RPI

Supervisor Simmes asked if the Board was interested in moving forward with contract negotiations to connect these homes. She stated that they will not be part of the sewer district and that they will be charged at a higher rate. Counsel stated that if they are interested he can provide a draft contract to start the negotiations. The Board agreed that they would like to proceed.

Smith Marina- Supervisor Simmes stated that there is nothing to report at this time.

Pubic In Attendance:

Willie Bea McDonald- Bolton Bed Tax Committee

Willie Bea McDonald stated that the Committee has met several times in November to discuss the ideas submitted for spending the money for the Town. She stated they made decisions on how they wished to spend that money and has provided a copy to each of the Board members. She reviewed each of the items for the expenditure.

Willie Bea McDonald explained that usually they allot for a specific amount. If the expenditure does not end up costing the amount set aside, the remainder will be put back into the bed tax fund. However, this year the Chamber of Commerce has asked if they could retain any leftover funds to be allocated to other events. Willie Bea McDonald stated that the Committee has agreed to that request, but they will need to seek approval from the Committee for the re-assignment.

Willie Bea McDonald stated that the total requested funds were \$156,250. The income received was less at \$140,800. However, there is still some money left from the previous year that has not been spent. She stated that the committee feels comfortable with the \$156,250 request.

Councilman Maranville asked about the additional funding going to Up Yonda Farm since the Town had already contributed money. Supervisor Simmes explained that the Town gave money to Up Yonda for specific programming and in return will receive benefits for the Town and school. This additional money would be put towards expenses. Councilman Maranville asked if other Towns could contribute to Up Yonda. Supervisor Simmes replied that it isn't other towns using it, it is schools. She stated that GF City Schools had previously contributed, but that has now ended.

Correspondence:

Time Warner notification of possible channel changes

DEC letter concerning a mining permit renewal for the East Schroon River Road sand pit.

Notification from Delaware Engineering that we may have another chance at a grant for the upgrades to our sewer plant.

Two letters against the Conservation Park Project.

Copy of letter to Planning Board from Robert Weisenfeld concerning the application of the Bell Point Shores Homeowners' Association.

Village of Lake George with request for tourist info at the Visitor's Center.

Notification from LGPC that no action on the stream corridor regulations was taken in November.

FOIL request from the Fund for Lake George regarding the Waterkeeper.

APA letter regarding the Simonson project.

Committee Reports

Councilman Saris

Town Clerk- Local Shares remitted \$13,317.69, non-local revenue \$377.04, Total State, County and Local revenues \$13,694.73

Councilmember Rehm

Recreation- The calendar has been posted, the Director's report was provided with attendance. Rules have also been recently reviewed and provided. Don Volkmann submitted his letter of resignation from the Recreation Commission. He is involved in too many other things. Councilmember Rehm stated that she wanted to extend her appreciation for his long service on the Recreation Commission. She stated that between he and his wife, there aren't two more people supportive of the youth in this community than the Volkmann Family.

She stated that she hopes that the Town Board expresses their appreciation for all of his time.

Library- The raffle for the Kayak that Jane Gabriels donated to the Library will be held December 2nd. They will also be holding a Christmas program on December 2nd where they will be doing a Christmas reading. On December 9th, they will hold the December Film Festival, in which they will be viewing "Joyous Noel".

Seniors- The Christmas party will be held at Frederick's on December 12, 2009.

Councilman Maranville

Police- They hosted the BCS Kindergarten Class for Community Day. They discussed safety issues with the children and handed out junior police department badges. All members of the department attended fire arms qualification training at the Warren County Sheriff's Department Range and they all qualified with a department issued side arms and department shotgun. They patrolled 3,493 miles and used 271.6 gallons of fuel. A detailed list of all the calls answered is available for review. They also performed 51 property checks.

Assessor- Real estate sales are taking place but at a slower pace than in previous years. Values seem to be consistent with our expectations. They have prepared a list of changes for the tax collectors. Work has continued on the re-evaluation project with completed land tables for all neighborhoods. The cost approach has been tested against sales prices and the numbers are ready for field review. He attended a continuing education class on November 20th. This class went towards maintaining his general appraiser's license and his assessor's certification. Because the State no longer allows banking continuing education credit he cannot be reimbursed by them. However, he needed the credit for his appraiser's license but is not requesting reimbursement for his travel or tuition expense.

Justice- Hon. Harry Demarest took in \$7,810 and Hon. Ed Stewart took in \$6,515. Total monies forwarded to the Town of Bolton - \$14,325. Itemized lists are located in the Court. Annette Saris extended a thank you and congratulations to Councilman Saris on his retirement.

Councilman MacEwan

Transfer Station- Receipts- \$4,886.00. They still have to address the brush pile. They are looking into snow removal for the transfer station because the truck they have been using is not serviceable. East Side will be in at the end of the week to pick up the metal. On November 27th while they were off, they found a deer carcass in the hopper, which is not accepted and on December 1, the recycling table was full.

Supervisor Simmes stated that East Side will be picking up the metal on Friday. Then they will need to go up and look at the site to find a better location for the brush pile. If they can move it back they will be able to handle taking in more brush until they can have someone come up and grind it. Councilman Maranville stated that they will need to address whether or not they plan to charge for accepting brush. He asked if they will still be taking in leaves and grass clippings as well. There was further discussion of the placement of the brush pile. Councilmember Rehm stated that if they are one of the only transfer stations that accept brush and they are going to be responsible for disposing it, she would recommend that they start charging people to cover the costs. Councilman Maranville agreed and suggested that they start January 1st. Councilman MacEwan recommended that they get the location set up before they start charging.

There was discussion of a fee schedule. Supervisor Simmes stated that they used to charge different amounts for smaller and larger trucks. However, they never accepted dump trucks full.

Councilman MacEwan stated that Lisa has asked him how much she should be charging for the disposal of the construction debris being brought in from a particular site that is currently demolishing a house. Supervisor Simmes stated that she wouldn't think that they should be accepting that large of a load to begin with. She asked if any other Town accepts that type of load. Counsel replied no, that most transfer stations do not even accept C & D. There are private enterprises that take that type of material and charge a great deal for it. Councilman Saris stated that he would be concerned that their ramp wouldn't be able to handle that kind of truck to begin with. Councilman MacEwan agreed. Counsel stated that he thinks that they should be referring these people to a private enterprise.

The Board agreed that they would not accept any vehicle larger than a one ton dump truck. They decided to further review the option for charging for brush removal at the transfer station.

RESOLUTION # 256

Councilmember Rehm moved, seconded by Councilman MacEwan to take nothing larger than a one-ton dump truck load for any disposal at the Transfer Station for construction and demolition debris. All in Favor. Motion Carried.

Supervisor's Report

Receipts: \$1,169,769.68 Disbursements: \$ 732,507.39

Mortgage tax for period ending September 30th, is \$73,167.21

Rogers Park Pier Project-

Supervisor Simmes stated that they had a pre-construction meeting for the Rogers Park Pier today and yesterday they got their contract for the \$500,000 grant.

Old Business

Request to lower the speed limit on Brook Street and possibly other streets in Town.

Supervisor Simmes stated that after speaking with the County and Counsel, it was agreed that the Town makes a resolution to lower the speed limit even on a County Road. It is sent to the County, who sends it to DOT, who does a survey. If it is determined that it can be lowered, the County places the signs on the County roads and the Town would put them on the Town roads.

Supervisor Simmes asked if the TB was interested in doing this for Brook Street only, Brook Street and other streets in Town or not at all. The TB agreed that they would like to proceed with this request and discussed what streets they would like to incorporate in this resolution.

RESOLUTION # 257

Councilman Maranville moved, seconded by Councilmember Rehm to request lowering the speed limit to 25 mph on the following Town roads: Brook Street, Dula Street, Dula Place, Goodman Avenue, Stewart Avenue, Cross Street, Maple Street, First Street and Sagamore Road.

All in Favor. Motion Carried.

Dan Daniger- Request for some type of nuisance law. Is there interest in pursuing this request?

Supervisor Simmes stated that Counsel presented some samples of this law. Councilman Maranville stated that he would not be interested in exposing the residents to this. He stated that he met with Chief Neumann to review these samples and he agreed that these would not be necessary. Chief Neumann indicated that the incidences were rather isolated. Councilman Maranville stated that he agrees with that and does not feel that it has gotten out of control. The TB decided to not take any action at this time.

Kevin Neacy request to fix Brook Street Extension.

Supervisor Simmes explained the problem. She stated that she is concerned with investigating this further because it requires digging in an area where the sewer and water mains are located. Councilman Saris recommended that Tom Nace or Carl Schoder look at this. Zandy Gabriels agrees that this is not an easy fix because of the potential for calamities. The TB agreed that they should have an engineer look into this issue further before doing any replacement or repair.

Bid opening for the Conservation Park Project is slated for December 14th.

Don Roessler's request for a decision regarding sewer laterals.

Supervisor Simmes stated that Counsel has advised her that the entire expense of all connections to the district sewer from the curb line or existing end of the branch or service lateral within rights-of-way to the house shall be borne by the property owner. Counsel stated that the language used in this ordinance is outdated. However this is not a departure from past policy. Councilmember Rehm asked if Counsel could possibly restructure the wording of this section so that is more user-friendly. Counsel agreed that he would.

New Business

Northeast Information Systems contract for the phone system \$2,302.80/year

Supervisor Simmes stated that they have never had a contract with them before and suggests that they take their chances without signing the contract. The TB agreed.

Approve the contract between the Town and Warren County for snow and ice removal on County Roads in the amount of \$103,281

RESOLUTION # 258

Councilman Rehm moved, seconded by Councilman Maranville to approve the contract between the Town of Bolton and Warren County for snow and ice removal on County roads for the amount of \$103,281. All in Favor. Motion Carried.

East Side would like to extend the contract for the metal at the Transfer Station for a 2 year period.

Councilmember Rehm asked if they have an "out" clause in this contract. Supervisor Simmes stated that they do not even have a contract with them. East Side just asked if they could extend pick-up for another 2 years. Counsel stated that he will draft a new contract.

RESOLUTION # 259

Councilman MacEwan moved, seconded by Councilman Saris to approve a 2 year extension with East Side for the removal of the scrap metal from the Transfer Station. All in Favor. Motion Carried.

Request for use of Rogers Park for the Arts and Crafts event on the following dates- July 3, 4 and 5, August 14 and 15 and September 4 and 5. Set up for all 3 dates will be the day before.

RESOLUTION # 260

Councilman MacEwan moved, seconded by Councilman Saris to authorize the use of Rogers Park for the Arts and Crafts fair on the following dates: July 3rd, 4th and 5th, August 14th and 15th and September 4th and 5th, with setup for each event taking place the day before. Councilmember Rehm opposed. All others in Favor. Motion Carried.

C.T. Male is moving forward on the Edgecomb Pond Dam. Authorization of the Supervisor to sign the contract in the amount of \$30,070.

RESOLUTION # 261

Councilman Saris moved, seconded by Councilmember Rehm to authorize Supervisor Simmes to sign the contract with C.T. Male for the Edgecomb Pond Dam project for the amount of \$30,070. All in Favor. Motion Carried.

Memorandum from Tom Jarrett Re: Norwood Drive maintenance

Copy of contract with Mannix Marketing for a new Town website. \$4,500 one-time fee and annual fee of \$350 for IP hosting and an annual domain renewal in the amount of \$20. Authorization for the Supervisor to sign.

Lori LaGoy provided some information to the Town to assist in negotiating their contract with Mannix Marketing. She stated that Time Warner provides both the IP hosting and domain name free of charge to local municipalities. The name "townofboltonlanding.com" was just purchased in June for five years. She stated that when they negotiate the contract they should tell them that these are services that they do not need so it can be taken out of the price. Willie Bea McDonald stated that the domain name would now be "townofbolton.com".

Lori LaGoy stated that other municipalities use professional marketing firms other than Mannix. She suggested that they may want to consider shopping around for other quotes because there are other businesses that are at the same

level as Mannix for less cost. She stated that she would be happy to provide those names to the Town if they are interested.

Supervisor Simmes thanked Lori LaGoy for all of her help. She asked Willie Bea McDonald to find out if they could have their cost reduced in light of the facts just brought forth. Willie Bea McDonald stated that she would ask.

Supervisor Simmes stated that Willie Bea McDonald has already had meetings with Mannix Marketing and asked the Board if they wanted to explore other businesses. Councilman Maranville stated that he would be interested in exploring other options. Supervisor Simmes stated that she feels a little awkward since they already approved to move forward with Mannix Marketing. Councilman MacEwan stated that hopefully they can talk to Mannix about the things Lori brought up and move forward with them. Councilmember Rehm stated that she was not aware that they were moving ahead this fast and just thought they were getting some preliminary ideas. She does agree with Councilman Maranville that they should get some other quotes. However, she understands that this may be a little awkward now since they have moved ahead so quickly. Councilman Maranville stated that they have not signed a contract and feels that they could still talk with other firms. Councilman Saris agreed that it wouldn't hurt to make some phone calls.

The Board agreed to look into this matter further.

Resignation from the Recreation Commission from Donald Volkmann

RESOLUTION # 262

Councilmember Rehm moved, seconded by Councilman MacEwan to accept Donald Volkmann's resignation from the Recreation Commission and include a statement of appreciation for his long service and fine work that he has done on behalf of the youth of Bolton. All in Favor. Motion Carried.

Need to publicize vacant Recreation Commission position on the Town website and in the Adirondack Journal.

Renewal with Standard Medical Services for drug and alcohol services. Urine drug screen \$55 per employee. Alcohol breath test \$21 per employee, DOT physical exam \$100 per employee. Authorize the Supervisor to sign.

RESOLUTION # 263

Councilmember Rehm moved, seconded by Councilman Maranville to approve the renewal with Standard Medical Services for drug and alcohol services; Urine drug screen \$55 per employee, alcohol breath test \$21 per employee, DOT physical exam \$100 per employee and authorize the Supervisor to sign said contract. All in Favor. Motion Carried.

Bed Tax appropriations approval.

RESOLUTION # 264

Councilman MacEwan moved, seconded by Councilman Saris to approve the Bed Tax appropriations. All in Favor. Motion Carried.

BLDC membership reappointment

Supervisor Simmes stated that she would recommend that this be done at the Organizational meeting. Jason Saris, Scott Andersen and Phil Farbaniec are all up for reappointment.

PB/ZBA training

Councilman Saris stated that training is required for PB and ZBA members. He stated that he and Herb Koster met with Walt Lender from the LGA to discuss how the LGA could be more helpful to the Town of Bolton. One of the things that came up in the conversation was the training for Board members. It is difficult for the Board members to find good training that really applies to what they do. Councilman Saris stated that the LGA suggested that they might be able to provide a little more direct benefit by supplying some training sessions on their floating classroom, specific training related to the Lake George basin. He stated that both he and Herb Koster thought that it was a great idea. He asked the Board if they would consider this acceptable training.

Councilman Saris stated that he has also been approached by some of the Zoning Revision committee members about applying their time serving on the committee to go towards their required training.

Councilman Maranville asked if the Town can establish what is considered continuing education. Counsel replied no, the criteria is set by the State. However, there are programs that can be proposed that can be approved by the State. He would recommend presenting the LGA's idea to the State for approval. Councilman Saris asked if the TB could approve it provisionally. Counsel replied yes.

Supervisor Simmes asked Counsel if he felt as though serving on the Zoning revisions committee could count toward credit. Counsel replied that he would have to do some research, but he doubts it. He stated that the requirements about training are pretty strict in terms of what they have for expectations.

Councilmember Rehm feels that it would be helpful to have some sort of reconciliation or report from the Zoning Administrator with regard to the current status of the Board members training and credits. Counsel agreed.

RESOLUTION # 265

Councilman MacEwan moved, seconded by Councilmember Rehm to conceptually approve the LGA programs for training of the PB and ZBA members as long as the programs are State approved. All in Favor. Motion Carried.

Park Department request for uniforms.

Supervisor Simmes stated that the Park Department is the only department that doesn't have uniforms and Ray Chamberlain has asked her if they could get them. Councilman Saris stated that it would make sense since they are the most visible. Councilmember Rehm asked how much it would cost. Supervisor Simmes stated that she would need to find out prices but she first needs to know if the Board is interested before moving forward. Councilman Maranville stated that the Transfer Station should also have uniforms. Supervisor Simmes stated that she doesn't think that they would want uniforms.

RESOLUTION # 266

Councilman MacEwan moved, seconded by Councilman Maranville to approve the request for uniforms for the Parks and Recreation Department. Councilmember Rehm opposed. All others in Favor. Motion Carried.

Set end of the year meeting.

RESOLUTION # 267

Supervisor Simmes moved, seconded by Councilman MacEwan to set the end of the year meeting on December 29th at 6:30pm. All in Favor. Motion Carried.

Rogers Park Pier Project

Supervisor Simmes stated that the construction site is going to have a fence put up at the beach with signs preventing lake access. She stated that when they start their work they are going to be putting in bubblers that are more powerful than what the Town has been putting in.

Councilman Maranville asked where they will be re-directing people. Supervisor Simmes stated that they can re-direct them to Norowal or Vets Park. She provided a construction schedule.

Supervisor Simmes stated that the gazebo in the park was dedicated to Frank Leonbruno. However, it is really in bad condition. She stated that they have been discussing the possibility of moving it and to what location and the rededication of the new gazebo. However, given the condition of the structure she feels that they should not relocate the gazebo. She recommended that they take the plaque that is in the garden and putting it somewhere to rededicate the new gazebo. The Board agreed.

Public in Attendance

Willie Bea McDonald-

She stated that she would be willing to contact other businesses about the website but she wanted to know when the Board planned to make a decision. Supervisor Simmes stated that the earliest they could make a decision would be December 14th. She requested that she get the information to them quickly so that they can have time to review it before then.

The Board set a meeting for Monday December 14th at 6:30pm to discuss the bid for the Conservation Project and the Town website.

Zandy Gabriels-

With regard to the brush pile, he stated that they have plenty of room to hold more brush.

Zandy Gabriels asked if Supervisor Simmes voted for the increase in sales tax. Supervisor Simmes replied yes. She stated that this vote was just to get it to the legislature. The next Board of Supervisors will be voting on the actual increase.

Zandy Gabriels stated that on new sidewalk on the south end of Norowal Drive has been macadamized for the winter. He stated that both he and his mother have walked this area and found that it is a rather steep drop. He suggested that they have the slope reduced. He stated that they probably won't be able to do anything about it this year, but they really should keep it clear of ice. When they finalize macadamizing of this area, he would strongly recommend getting DOT to reduce this slope. Supervisor Simmes stated that she would look into it. Counsel stated that Mr. Gabriels has now brought this to their attention and they should take action quickly. Supervisor Simmes stated that she would call the project manager immediately. Councilmember Rehm asked if the Town decides not to take the sidewalks over and do no clearing of the sidewalks, then there is no potential for anyone to fall there. Counsel agreed that would be true. However, he would encourage the Supervisor to address this issue.

Frank McDonald stated that since the DOT has completed the south end of the project they have a large area that fills with water. Supervisor Simmes agreed and stated that she is also upset with what is occurring on Bixby Road. She stated that she took the project manager there when it was raining and they are looking into this issue.

Zandy Gabriels wished everyone a Merry Christmas.

Supervisor Simmes stated that everyone was welcome to join them after the meeting for some light refreshments in honor of Councilman Saris.

Pay Bills

RESOLUTION #268

Councilman Maranville moved, seconded by Councilman MacEwan to approve payment of the following bills:

General Fund: 78,451.58

Lights: 4,721.03

Highway: 45,381.35

Water: 16,126.96

Sewer: 10,443.35

Tourism: 1,454.00

All in Favor. Motion Carried.

Transfers

There were no transfers.

Executive Session

RESOLUTION #269

Councilman MacEwan moved, seconded by Councilman Maranville to enter into Executive Session at 9:25 pm with no further business to be attended to.

Adjourn

Respectfully submitted by: Respectfully submitted by:

Patricia Steele Kristen MacEwan

Town Clerk Recording Secretary