

AGENDA
REGULAR MEETING
BOLTON TOWN BOARD

May 3, 2016

Regular Meeting:

Supervisor: Ronald Conover
Councilman: Robert MacEwan
Councilmember: Cheryl Bolton
Councilmember: Susan Wilson
Councilman: Tim Coon
Town Clerk: Jodi Connally
Counsel: Michael Muller
Minute-Taker: Kate Persons

Meeting Call to Order: 6:30 pm.

Pledge: Sue Wilson

Please remain standing for a moment of silence for Kathleen Mikoloski, and Rita Monroe.

Minutes: Approve Minutes of Regular Town Board Meeting held April 5, 2016

Motion to Convene as the Town of Bolton Local Board of Health

Public Hearing regarding proposal improvements by Bruce Peters and Keri Shaver for Parcel ID: 186.15-1-12, 58 Treasure Point Road, Bolton Landing NY: 1) Phase 1: replacement of septic system with a septic holding tank; 2) Phase 2: installation of a Puroflo Fill System 1) Section 3.030 Horizontal Separation distance: 10' is required from the toe of slope of the fill and the property line, 3 feet is proposed between the toe of the slope and the right of way and 5.95 feet is proposed from the toe of the slope and the northeast property line; 2) Section 3.030 Horizontal Separation Distance: 200 feet is required between the toe of the slope of the fill and owner's potable well with 90.34 feet proposed; 3) Section 3.30 Horizontal separation distances 200 feet is required between the toe slope of the fill and Lake George with 101.28 is proposed.

- Resolution establishing Bolton Town Board as Lead Agency for SEQRA.
- Resolution regarding SEQRA Determination.
- Resolution regarding application by Bruce Peters and Keri Shaver for septic system improvements at 58 Treasure Point Road.

Motion to Reconvene as Bolton Town Board

Public Hearing regarding outdoor sound amplification permit by Robert O'Keefe for the Huddle Kitchen and Bar, 4947 Lake Shore Drive from May through November, outdoor radio dinner music during business hours 8 AM to 10 PM.

- Resolution regarding outdoor sound amplification permit by Robert O’Keefe for the Huddle Kitchen and Bar Restaurant for outdoor music in dining area.

Public Hearing regarding outdoor sound amplification permit by Edward and Jennifer Foy for The Chateau on the Lake for May 27 for a wedding; June 18 for a wedding; July 4,8,14,29, August 5, 11,26, August 27th for a wedding; September 2, and September 30th for a rehearsal dinner, October 8,9 (Wedding and rehearsal events 4PM to 10PM; Other music dates 6PM to 9PM).

- Resolution regarding outdoor sound amplification permit by Edward N Jennifer Foy for The Chateau on the Lake.

Public Hearing regarding outdoor sound amplification permit by Michael Dorman, Capri Village 3926 Lake Shore Drive, Diamond Point NY, for Saturday June 4, 2016 from 4PM to 9PM inside Tent.

- Resolution regarding outdoor sound amplification permit by Michael Dorman for June 4th from 4PM to 9PM.

Public Hearing regarding outdoor sound amplification permit by Jeff Strief, Happy Jacks, 4963 from May thru December 2016 for outdoor music 9:30 AM to 6:30 PM, 10 PM in summer.

- Resolution regarding outdoor sound amplification permit by Jeff Strief for Happy Jacks.

Public Hearing regarding outdoor sound amplification permit by Jeff Strief for Mrs Whizzy-Fizz-Popps from May to October 2016 from 11AM to 9 PM daily (background music).

- Resolution regarding outdoor sound amplification permit by Jeff Strief for Mrs. Whizzy-Fizz-Popps (background music / low level).

Public in Attendance:

- Tim Larson, The L.A. Group regarding park improvements to play surfaces.

Code Enforcement:

- Update unsafe structure at parcel tax map #186.10-1-1 (see letter from Tom Nace, Town Engineer).

Correspondence:

- NYS DOH violation indicating failure to receive monthly operation report from Bolton Water (violation notice rescinded due to new system and tracking issue at DOH).
- Victoria Bova, Legal Instruments Examiner U.S. Army Corp of Engineers regarding contact person for Permit Application NO. NAN-2016-00503-UBR Town of Bolton.
- Michael Corso, Consumer Advocate and Director Office of Consumer Services regarding public informational session dates about the Clean Energy Standard program.
- Denise M. Wagner, Project Administrator APA regarding proposed dock improvements at Veterans Park indicating that it does not require a permit or variance from the APA.
- Michael Pratt requesting definite date when storm water work will be underway on New Vermont Road.

- Thomas Nace, P.E. regarding inspection of a small cabin on property at 3 Windy Lane and his opinion that the structure is unsafe.
- Copy of letter from Penelope Jewell representing the Bolton Landing Farmers' Market to Blessed Sacrament Church thanking them for hosting the market for the past 5 years.
- Brandi Bishop, Health Promotion Center Glens Falls Hospital regarding outdoor tobacco free recreation areas.
- Dawn Faller thanking the Town Board for its hard work and attention to detail and offering comments and expressing concerns regarding the Farmers Market.
- Walter Lender, LGA requesting support letter for 2016 Helen V. Froehlich Foundation Grant.
- Elaine Brown, Bolton Chamber letter of support for the Craft Fair locating at the parking lot south of the Bolton Fire Company.
- Ron Cording, 52 Treasure Point Road, regarding proposed sewer system improvements at 58 Treasure Point Road and its effect on adjacent trees and recommending the system be placed further away from the proposed location.
- Edward Foy regarding his inability to attend the Board meeting and requesting that his application for outdoor amplified noise be approved as submitted.
- Michael F. Morris, Capital Regional Representative Office of the Governor, regarding work shop on CFA Grants on May 2, 2016.

Committee Reports:

Councilman: Robert MacEwan

Councilman: Tim Coon

Councilmember: Susan Wilson

Councilmember: Cheryl Bolton

Supervisors Report:

- Receipts: \$29,534.42
- Disbursements: \$580,533.28
- Bolton sales tax receipts for 1st quarter were \$776,081.99 up \$9,821.75 from same period in 2015.
- Visitor Center Project on schedule, Museum Project a little behind schedule, both projects are on budget.
- Top soil delivered, grading, erosion blankets and hydro seed work for new ballfield to begin shortly.
- Spring flushing of water system completed on Monday, April 25th.
- Design of upgrade to chlorination system at Water Plant underway, application and plans for upgrade have been prepared by Cedarwood Engineering and submitted to NYSDOH for approval.
- 26 smart growth grants applications received by NYSDEC they funded 6.

New Business

- Resolution approving request to utilize Rogers Park Docks for the Lake George Rendezvous by the Antique and Classic Boat Society Inc. on Friday, August 26, 2016.
- Resolution establishing the rate of pay for temporary laborers for the Town of Bolton at \$13.00 per hour.
- Resolution authorizing use of parking lot adjacent to Fire Company for use by the Bolton Craft Fair on May 28th & 29; July 2,3,4; August 13&14; September 3&4; October 8&9 including the Antique Show on July 29,30,31 (approval includes setup beginning in the early evening the day prior to each event start date).

RESOLUTION PURSUANT TO ORDINANCE #27

- **IT IS HEREBY RESOLVED** that upon consideration of the inspection report of Code Enforcement Officer Mitzi Nittmann, dated April 12, 2016, and the letter report of Nace Engineering P.C. dated April 18, 2016 wherein the reported findings and recommendations pertaining to the premises of Robert C. and Eleanor M. Principe (“Owners”), and Nesta Abich (“Reputed Occupant”), 3 Windy Lane, Town of Bolton, Warren County, New York, Tax Map Parcel 186.10-1-1, state that the cottage/cabin structure on the premises appears to be in a dilapidated and structurally unsound condition so as to constitute a public health hazard. And further, in the opinion of the town's consulting engineer, the structure "is unsafe, is not repairable and should be demolished".

Pursuant to the requirements and provisions of Town Ordinance #27, the Town Board for the Town of Bolton directs that:

1. A copy of this resolution shall be delivered to Robert C. and Eleanor M. Principe, and Nesta Abich, 331 Elmora Avenue Apt. 3J, Elizabeth, New Jersey, 07208 by both first class mail and registered/certified mail; and a copy of this resolution shall also be posted upon the subject premises; and such notice delivered to the owner as herein stated shall constitute and serve as evidence of the determination that the structure on the premises is dangerous and unsafe as defined by Town Ordinance #27.
2. The owner shall be required to take immediate action to demolish and properly remove construction and demolition debris to a lawful landfill or construction and demolition depository, and to restore the premises to a natural and safe grade (leaving no pits, holes, depressions, no partial foundation) in accordance with the requirements of Town Ordinance # 27.
3. The owner shall be afforded thirty (30) days as provided in Town Ordinance #27 to exercise his or her rights with respect to such determinations and to act upon the order of the Town Board.
4. Should the owner fail to act in compliance with the requirements of Town Ordinance #27, the Town of Bolton, by its Supervisor and agents shall proceed in accordance with the provisions of ordinance and state statutes to effectuate the demolition and removal of the unsafe structure.
5. The Town may also secure an order of the Supreme Court for the State of New York, Warren County, for the Town of Bolton to proceed to act in accordance with this resolution and by provisions of Town Ordinance #27, and the costs, expenses and

disbursements in these proceedings, including the municipality's attorney's fees and the actual costs incurred in demolition and removal, shall constitute an appropriate charge and special assessment upon the property.

6. In addition to the provisions of Ordinance #27, the Supervisor for the Town of Bolton reserves all right, under the circumstances, to act with emergency powers provided by New York State statute, rules and regulations in these proceedings to protect the health, safety, general well-being and welfare of the citizens of the Town of Bolton by declaring an Executive Emergency power to abate or remove the structure as a health hazard and/or for the protection of public safety.

- Resolution authorizing use of the Cross Street Parking Lot by the Farmers Market for 2016 every Friday 9 AM to 2 PM from June 29 to September 2, 2016 and be it further resolved that should the new parking lot not be completed the Town Board authorizes use of the northern section of the Town Hall Parking lot until such time as the Cross Street Lot is made available.
- Resolution authorizing the Bolton Town Clerk and Deputy Clerk to attend the NYSATRC tax receivers and collectors conference in Lake Placid at the High Peaks Resort on June 12-15, 2016.
- Resolution appointing Lorraine Wilson-Lefevre as a member of the Bolton ZBA to fill the unexpired term of John Famosi which expires 12-31-16.
- Resolution authorizing retaining Beacon Fine Art Foundry for the reconditioning of Brass Monuments and Plaques at Memorial Park.

Convene as Town of Bolton Water District

- Resolution authorizing upgrade of chlorination system at Bolton Water Treatment plant from gas chlorination to liquid sodium hypochlorite and authorizing Supervisor to take such actions as needed to complete the upgrade immediately upon approval of plans by the NYS DOH.

Reconvene as Bolton Town Board

Public in Attendance

Transfers for MAY 2016

To	From	Amount
<u>GENERAL:</u>		
1010.1 Town Board PS	1990.4 Contingency	\$15,000.00

Pay The Bills:

	Voucher	Amount
Mid Abstract 4A		
General	545-549 551-568 570-579	\$4385.53
Hwy	182	17.35
Sewer	115-120	1430.11
Water	107-109	1258.54
Lights	550 & 569	70.68
Abstract 5		
General	485-544 580-595 597-617 619	37,373.51
Highway	159-181 183-194	54,401.85
Sewer	102-114 121-125	3,481.43
Water	86-106 110-113	5,818.61
Lights	596 & 618	1,832.81
Tourism	6	3,530.87
Special Ballfield	7-23	75,148.09
Cross St Parking	4	3,069.91
Vets Parking Capital	4	1,979.16
Rogers Park Capital	20-24	125,486.64
Veterans Memorial Fund	1	5,625.00

Executive Session: Matter involving employment history of a particular Town employee.

Adjourn: