

REGULAR MEETING
BOLTON TOWN BOARD

Meeting Call to Order: 6:30 pm.

November 6, 2013

Pledge: Susan Wilson

Regular Meeting:

Supervisor: Ronald Conover
Councilman: Robert MacEwan
Councilman: Owen Maranville
Councilmember: Cheryl Bolton (late)
Councilmember: Susan Wilson
Town Clerk: Jodi Connally
Counsel: Michael Muller

Minutes: Approve Minutes of Town Board Meeting held October 1, 2013.

RESOLUTION #224

Councilman Maranville moved, seconded by Councilmember Wilson to approve the minutes of Town Board meeting held October 1, 2013. All in Favor. Motion Carried.

Public Hearing: Public Hearing on the Preliminary 2014 Town of Bolton Budget (General Fund, Highway Fund, Lighting District, Sewer District, Water District, Fire District).

Supervisor Conover asked if anyone from the public would like to speak on the 2014 Town of Bolton Budget.

Zandy Gabriels spoke about the Waterfront Revitalization Project and its subject costs. Supervisor Conover replied that Tracey Clothier of the LA Group would answer any questions during her presentation and that the public hearing was on the 2014 Town Budget.

Supervisor Conover closed the Public Hearing.

- Resolution adopting 2014 Bolton Town Budget.

RESOLUTION #225

Councilman MacEwan moved, seconded by Councilmember Wilson to adopt the 2014 Bolton Town Budget. All in Favor. Motion Carried.

Councilmember Wilson thanked Supervisor Conover for all the effort he put forth on this budget and stated she was proud to support it.

- Resolution adopting Sewer and Water Rate Schedule for 2014 (effective beginning January billing period 2014).

RESOLUTION #226

Councilman MacEwan moved, seconded by Councilman Maranville to adopt the Sewer and Water Rate Schedule for 2014 (effective beginning January billing period 2014). All in Favor. Motion Carried.

Councilmember Bolton arrived at 6:40

Supervisor Conover read the following report into the record.

2014 Budget Report:

I am pleased to report that the 2014 Town of Bolton Budget maintains the tax levy at \$799,000 unchanged from 2013. This is the 4th consecutive year of no tax increase largely made possible by an improving economy and overall improving revenue picture. The 2014 Town of Bolton tax rate will be fractionally down from the .521 cents/thousand for 2013, as our tax base has grown by about 5 million dollars over last year. The 2014 Town of Bolton property tax rate per thousand is estimated at .5189 cents per thousand.

The Highway Fund appropriation for 2014 is \$1,974,414 up from the 2013 appropriation of \$1,881,061. This increase is largely attributable to an expanded highway improvement program. Funds budgeted for highway improvements have been increased to \$500,000 for 2014 up from the \$400,000 appropriated in 2013. We have now more than doubled our highway improvement program since the 2010 appropriation of \$200,000. The continuation and if possible expansion of our highway program is essential if we are to improve our roads to acceptable standards. Our budgeting strategy to gradually increase highway improvement appropriations to existing levels has now made it possible to undertake an unprecedented amount of annual highway work. We have also included for the first time a line item for Japanese knotweed work along our roadways and stream corridors. Our long term goal is to eradicate this invasive.

In addition our 2014 Highway Fund will purchase 3 new pieces of highway equipment; a new F-350 pick-up with plow, a sign post driver and a dump box for the 1997 international. If the economy continues to improve next year we will consider purchase of a new Western Star tandem Dump Truck with plow. We will, however, wait until after we make the final payment on the 2009 Sterling Dump Truck in March of 2014 to make a final decision regarding this purchase in 2014.

The general fund appropriation for 2014 is \$2,933,596 up from the 2013 appropriation of \$2,677,313. The increased appropriation in the general fund is largely attributable to specific budgeted projects the Board has approved for 2014 including: dock replacement at Veterans Park, Park and Field Expansion Improvements, continuation of the Museum Building Improvement Program and Town Hall HVAC improvements, and Transfer Station building improvements totaling almost \$190,000. Also included in the 2014 budget is \$20,000 in increased support for

Bolton EMS, \$20,000 increased support for the Aquatic Invasives Program, \$20,000 increase in employee benefits attributable to workers comp and social security and an increase appropriation in our General Fund Contingency Account and legal services account of \$17,000 and \$20,000 respectively.

Our lighting district continues to experience lower operating costs resulting from the change from mercury to sodium vapor lights and the purchase of new more energy efficient street lights and the elimination of some light standards. As a result the lighting district property tax levy for 2014 is \$31,000, unchanged from 2013. In addition we will continue our program to gradually replace costly outdated lighting standards to new dark sky compliant lighting.

The 2014 Water District budget proposes no increase in water rates for 2014. Also I can report that the Water District will finish 2013 in the black. Also I am happy to report that we have been able to build a modest fund balance, capable of addressing emergencies, water breaks or paying for needed improvements to the water system. Our program to move to radio read meters will continue in 2014 as well as identifying and fixing leaks with an annual leak detection program. We will continue to do everything possible to ensure that the Water District operates in an efficient and financially responsible manner, that improvements are made in a timely manner and that a quality product is delivered to our customers.

The 2014 Sewer District budget proposes a .25 cent/1,000 gallon increase. This equates to a \$1.25 increase per quarter payment on the minimum charge with varying amounts above the quarterly minimum depending upon actual use. This rate adjustment is an important step in bringing our Sewer District to a financially sustainable operating condition. In addition to increasing revenue we must also strive for increased economy and efficiency. While much progress has been made with the Sewer District, we have more work to do and we look forward to continuing the program to upgrade our plant and collection system to maintain financial sustainability. As the Board is aware we recently made the NYS Regional Priority List for Sewer improvements. If funded by NYS this project will continue to reline old sewer lines preventing storm water infiltration, reducing operating and effluent treatment costs. We will continue to do everything possible and take advantage of every funding opportunity to make our operations modern, efficient and affordable.

Overall, the Bolton Town Board has prepared a solid 2014 Budget; we have adopted conservative revenue projections and a responsible expenditure plan. It is an expenditure plan that provides the level of service that residents expect, supports our community organizations, contributes to the protection of Lake George, upgrades our infrastructure, protects our residents and visitors, and replaces aged vehicles and equipment. As always we will keep a watchful eye on all revenue and expenditure line items as we finish this year and move into 2014. The Town of Bolton continues to be in excellent financial shape.

A special thanks to Town of Bolton Bookkeeper, Mariann Roberts-Huck for her assistance in the preparation of the 2014 Budget. During the budget workshops the TB completed a line by line review of the tentative 2014 budget and as always their advice and assistance is extremely

important; it is very much a team effort. Last but not least my thanks to the Town Departments for preparing clear and precise budget proposals for 2014. Their experience and dedicated service to our community is appreciated.

Thank you.

Public in Attendance:

Stan Dobert & Doug Underhill of Apex Solar gave a slide show presentation on the benefits of solar energy use.

- They are NYCERDA approved installers.
- They explained that NYCERDA in New York State is funding solar installations for the last 18 months to displace kilowatt hours from big users.
- The installation would be at no cost to the Town, they would just have to agree to buy the power.
- They had researched all the departments in the Town and found that the Town would be better off with a remote net metering system.
- The Transfer station would be a good fit for this project.
- This is an environmentally sound form of energy.
- Apex Solar would handle all of the permitting process and paper work.

Mr. Dobert gave the Board a non-binding term sheet to look at if they would like to take the next step.

Supervisor Conover stated that he liked the idea of a remote site as opposed to the idea of a site specific project. He also explained that the Board had heard other proposals, but had not received such a comprehensive proposal as the one Apex Solar had supplied. He stated he liked the Landfill placement as long as it would not interfere with the ball field. Mr. Dobert explained that they had done a solar analysis on the side of the hillside where they would not interfere with anything at the Landfill at this time. Supervisor Conover said he would like a layout that the Board could see and decide if they had any future plans for this area. Supervisor Conover said they were dealing with a long term planning project and they Town may want to own the system at a certain point in time and that they would want to be good negotiators on this project. Mr. Dobert explained that they could have a 30% investment tax credit for 5 years, and once this is exhausted they could have a 5 year buy out option built in. Mr. Dobert stated the question is the technology going to be outdated in 10 or 15 years. He stated that the system will still have tremendous value.

Councilmember Wilson said Mr. Dobert had mentioned that it would be no cost to the Town for the equipment or construction, but she was curious as to who would take care of all of the permits and applications. Mr. Dobert explained that his company took care of all of this, and that it does take a long time to get through the process.

Supervisor Conover stated they could pro-rate the proportions of how the department received the credits.

Councilman Maranville asked why the permitting process was so expensive. Mr. Dobert explained it was DEC. He explained that Landfills were particularly tricky. Councilman

Maranville asked about security. Mr. Dobert explained that they were required to put a big fence around the perimeter of the solar panels. Councilman Maranville asked if other towns were using this form of energy. Mr. Dobert explained that other towns are using roof mounts, and that is largely due to the funding at the moment, when they were installed. He stated that now the funding is available for the remote net metering system which is more efficient.

Councilman Maranville asked how long the permitting process for this project would take. Mr. Dobert stated easily 3 or 4 months this would be a spring project at the earliest. Councilman Maranville asked how the credits worked. Mr. Dobert explained that one meter would accrue all of the credits, and then at the Boards choice they would allocate the rest of the monetary value to the rest of the meters. Councilman Maranville asked if the solar panels could power lights on the little league field if they were installed. Mr. Dobert said they could power the whole town. Mr. Dobert explained that the credits and debits to the system would depend on the usage and the sun. Councilman Maranville inquired if these panels had storage capabilities. Mr. Dobert replied no, that it would require batteries, which are very expensive. Councilman Maranville asked if the savings increased from year to year. Mr. Dobert explained that the savings were largely dependent on the credit rate. Councilman Maranville asked what the life span of the panels was. Mr. Dobert replied that there was a 25 year warranty on the panels, he explained that the inverters had a 10 year warranty. Councilman Maranville asked about the cost of the maintenance. Mr. Dobert explained it was included for the life of the term. Councilman Maranville inquired if they could go over the top of the vent pipes. Mr. Dobert explained that they would go around them.

Councilman MacEwan asked about the capping process of the Landfill and how far down it went. Mr. Underhill stated he talked to C.T. Male and they said 18' (+). Mr. Underhill stated that they would go on top on this.

Councilman Maranville thanked them for their presentation.

Tracey Clothier of the LA Group, representing the Local Waterfront Revitalization Program reported on the status of the LWRP.

- The entire completed LWRP has been put on the Town web-site at this time.
- Ms. Clothier stated that the LWRP is complete and ready to move to the next step.
- To move forward they must have a mandatory 60 day agency review by the Department of State.
- Ms. Clothier is asking for a resolution stating that the LWRP is complete enough for this review.
- Ms. Clothier handed out the new full SEQR form, a copy of the LWRP and an adoption schedule.
- She asked the Board for a resolution declaring them lead agency for this project.
- Resolution declaring the Bolton Town Board as lead agency under SEQRA for the Local Waterfront Revitalization Program Report and soliciting comments from involved Agencies.

RESOLUTION#227

Councilmember Wilson moved, seconded by Councilman Maranville to declare the Bolton Town Board as lead agency under SEQRA for the Local Waterfront Revitalization Program Report and soliciting comments from involved Agencies. All in Favor. Motion Carried.

Councilmember Wilson asked if the SEQRA must be done before they declare the project as complete. Tracey Clothier said no, it was better to put some time between so when it comes back to the Town Board they would have a public hearing and they could then make their declaration.

Zandy Gabriels inquired about the cost to the Town money, and if they had budgeted for these costs. Tracey Clothier replied that they had put in a process for an implementation committee. Councilmember Wilson explained it would be an implementation committee that would be established after the adoption to ensure that what was adopted was enacted appropriately. Tracey Clothier asked if there should be a budgetary item devoted to the implementation of projects in the LWRP. Supervisor Conover stated it would be an interesting recommendation to the committee as they would be budgeted under all different items under different codes, but all may be tracked to the LWRP. Tracey Clothier stated that the committee needed to see what the funding mechanism was for each project, and each project would need to be taken individually and move it forward on its own from here. Supervisor Conover stated that the implementation committee could counsel the Board with a liaison in the terms of the budget. Tracey Clothier explained that the appendix showed the priority projects.

- Resolution to accept the Town of Bolton Local Waterfront Revitalization Program as complete as presented and authorizing its submission to the New York State Department of State.

RESOLUTION#228

Councilmember Wilson moved, seconded by Councilmember Bolton to accept the Town of Bolton Local Waterfront Revitalization Program as complete as presented and authorizing its submission to the New York State Department of State.

Public in Attendance:

Supervisor Conover asked if there was anyone from the public who would like to comment on either of the two presentations.

Zandy Gabriels stated his mother had a recommendation to the Board about signs for the Conservation Club. Councilmember Wilson explained that this had already been done. Mr. Gabriels spoke about the DEC involvement with the Town for the Northwest Bay launch area. He also commented on the lawsuit about the regulations of boat houses and Bolton's lack of being a part of the appeal to the state on this issue. Supervisor Conover asked Town Counsel Michael Muller to review this. Town Counsel Michael Muller agreed and stated that an important fact was that the Appellate Division had reviewed Judge Krogman's decision and had decided that it was affirmed. Mr. Gabriels commented on solar panels and his thoughts on this. He also spoke about the County and Town budgets and his thoughts on using the Town's surplus to reduce the Towns tax rate from the County.

Supervisor Conover explained that every town has a changing equalization rate each year with the County. He explained this is affected by the changing equalization rates, and each Town's share of the County levy.

Councilmember Wilson asked if the State Board of Equalization impacts this. Supervisor Conover replied yes they set the equalization rates for towns.

Correspondence:

- David Saffer, Executive Director, Council for Prevention, Katherine Chambers, Director, Warren County Youth Court request for program funding assistance for 2014.
- Peter R. Landau, ASCA Consulting Arborist regarding Urban Forestry Program.
- Elaine Chiovarou-Brown, Bolton Landing Chamber of Commerce request to utilize Rogers Memorial Park Friday and Saturday June 6&7 for Bolton Bikes and Bands Festival including vendors and music from 10am - 5 pm, including waiver of parking fee for motorcycle parking at Rogers Park.
- Elaine Chiovarou-Brown, Bolton Landing Chamber of Commerce request to utilize Rogers Park for Crossroads to the French and Indian War Encampment on June 14 & 15, battles at 2 pm, Saturday and Sunday and utilization of a small section of parking lot for battle times.
- Elaine Chiovarou-Brown, Bolton Landing Chamber of Commerce request to utilize Rogers Park on Sunday, August 31, 2014 Labor Day Celebration and Fireworks, 8 pm and music in the Park, 5pm to 8pm at the Bolton Pier Gazebo.
- Chris Kaufteil, Associate Producer, Communities of Distinction regarding TV program production for Bolton.
- Maureen Schmidt, 2013 State Reimbursement Claim, Warren County Youth Bureau for \$400.

Supervisor Conover stated that we had already applied for this reimbursement.

- Report of Warren County Committee on Assessment Rolls, 2013 Footings, Dated October 18, 2013.
- The LA Group, draft report, Town of Bolton, Local Waterfront Revitalization Plan, October, 2013.
- Cheryl Tercek, Underwriter, Trident Insurance regarding renewal premium and possible change in terms and conditions.
- Jack Altdoerffer, Director, Transportation Operations Institute, MVCC regarding training programs to increase safety and save money.

Supervisor Conover stated we have been much more active in terms of getting people from the Town of Bolton trained in these safety programs due to the efforts of Mariann Roberts-Huck and Kate Persons.

- Dexter Baker expressing interest in Animal Control Officer Position.
- Kevin McGahey regarding interest in better island camping reservation system for Lake George.
- Nancy Dunn regarding appeal by neighbor as to use of her property and noise and disturbance issues with neighbor and referenced participation by the Town.
- Marcy A. Dreimiller, Co-Race Director for Adirondack Runners requesting permission to conduct the 38th Annual Adirondack Run on Sunday, June 22, 2014 and use of Roger's Park for the race finish and Bolton Police assistance with traffic control.
- Ed Bartholemew, Warren County EDC infrastructure needs survey.
- Brian Reichenbach, Stafford Carr & McNally, P.C. transmittal of Justice Krogmann's decision dated October 7, 2013 denying motion to vacate the temporary restraining order.

- Heather Spitzberg, Certifying Officer, NYS Homes and Community Renewal regarding funding for acquisition, reconstruction, reimbursement, improvement, financing and use of existing properties in the most impacted areas.
- Gerald K. Geist, Executive Director, The Association of Towns regarding 2014 newly elected officials training school on January 8-10, 2014 in Rochester, NY and January 15-17, 2014 in Albany.

Supervisor Conover stated that anyone wishing to attend should contact him.

- Patty Wittmeyer, Knotweed Secretary, Regional Inlet Invasive Plant Program thanking the Board for program donation.

Supervisor Conover said we should be thanking them for dedicating 80 hours of time to the Town.

- Joan Sady, Clerk of The Board of Supervisors for Warren County regarding survey of town officials.
- Margie Titus, NYS HMGP Project Support/Liasion regarding grant mitigation deadline of October 30, 2013.

Supervisor Conover stated that this was a letter that we submitted to Homeland Security with an application in concert with the School District for a back up generation facility at the school.

- Carl Schoder, Schoder Rivers Associates regarding professional engineering services for culvert reline on Potter Hill Road.
- David Kidera, Director, NYS Authorities Budget Office censure letter to Phil Farbaniec, President BLDC and Board of Directors regarding failure to bring BLDC into compliance with ABO Regulations and previous warnings.

Supervisor Conover explained that this was being responded to.

- Gail Street, Peter French requesting 2014 dates for craft fair in Rogers Park.
- Don Leshnock, VP Cassidy Turley regarding land lease with TWC.

Supervisor Conover explained that this was a small building at the Sewer Plant that they leased from the Town.

Committee Reports:

Councilman Robert MacEwan

Transfer Station –Total receipts for the month is \$6,688.00. Spring clean up cards total \$2,564.00. Lisa stated that the metal pile still needs to be cleaned up, which cannot be done by hand, and she is inquiring to the availability of equipment to assist in this project. Lisa says the bottles will be going to the class of 2017. She also inquired about the white truck and how long it would be sitting there as it will be in the way of plowing. She is interested in who will be doing the plowing at the Transfer Station this winter. Lisa also inquired about the status of repairs to the building.

Councilman MacEwan stated that he would be checking on the building to see what repairs would be needed before the winter. Councilman MacEwan also said that the Class of 2017 wanted to know if the Town would donate their bottles to them.

Supervisor Conover stated that they would need a resolution for this to happen. Town Counsel, Michael Muller agreed.

- Resolution authorizing the Bolton Central School class of 2017 to collect the

bottles from the transfer station.

RESOLUTION#229

Councilman MacEwan moved, seconded by Councilman Maranville authorizing the Bolton Central School class of 2017 to collect the bottles from the transfer station. All in Favor. Motion Carried.

Water Department- Actual flow through the plant before deductions 6,189,747 and 5,549,331 after deductions. John reports that they used 89lbs. of CL2, 1,100 lbs of Soda Ash, 12.6 gallons of orthophosphate & 88.6 gallons of P2300. John stated that the pond level is still below the spillway. All water samples came back satisfactory. Ross valve is trying to come up with a solution to the pressure jumps in the Valley Woods Rd. PRV Station to be installed on November 7th. All the water reads are done for the month. The Department of Health did their tri-annual sanitary survey. John stated they were in the process of changing the two 500 gallon fuel tanks due to leaks. The tanks are in the ground waiting to be covered.

Sewer- Took in 3,368,030 gallons of waste water for an average of 108,646 gallons per day. Monthly samples were done. DMR's mailed for September and they had a phosphate violation. They changed the oil in the trickling filter and grease, cleaned the South Station and got 16 cans of grease and 2 cans from the Norwal Station. Chet stated that they had cleaned the grit chamber, put a new battery in the generator at the North Station and washed the sand in the sand filters along with many other jobs around the plant. They hauled 48,000 gallons of liquid sludge. Chet said that the leaking roof and faulty fans and heater in the South Station still needed to be fixed.

Councilman MacEwan stated that he had discussed with Supervisor Conover the idea that the Animal Control Officer would use the old Police Tahoe for picking up animals if the Board had no objections. The Board thought this was a good idea.

Councilman Owen Maranville

Police- patrolled 2331.04 miles and used 151.7 gallons of fuel. They went to various calls. Police Officer Russell Lail joined the Bolton P.D. in October. P.O. Lail is an Investigator with the Warren County Sheriff's Department and will fill the vacant Police Officer position, bringing the Bolton Police up to full strength.

All members patrolled, on foot and by car, during Cabbage Night and Halloween. No major Halloween related incidents were observed or reported.

Traffic lights were switched to "flash" for the season on 10/15/2013.

Justice Court- During the month of October, 2013, Judge Harry Demarest took in \$6,818.00 and Judge Edward Stewart took in \$6,937.00. Total monies forwarded to the Town of Bolton amounted to \$13,755.00. There are itemized lists located in the Court if anyone desires to look them over.

Assessor - During the last two months deed transfers and address changes were made to our computer files and changes were forwarded to the school tax collector. With regard to sales, we

have now had 17 arm's length sales to report since the 1st of July which is a slight decrease in the number from last year. Sales prices have been close to the current assessed values.

During September, Dave attended the small claims hearing for the property of Robert and Sylvia Phillips. Dave had prepared a defense of our assessment; the Philips' had acquired an appraisal. The hearing officer gave us a short period of time to review each other's findings. Dave found some errors in their report about the comparables used. Nevertheless rather than have the hearing officer make an arbitrary judgment we agreed to a 7% assessment reduction.

During October, Dave had been in contact with both the appraiser and commercial real estate director of Tops Market. Based on the current lease in effect, market conditions, and sales volume at the Tops Market, Dave agreed on an assessment reduction for their main parcel. Michael Muller, our town attorney, and Dave reviewed the terms of settlement which now need to be reviewed and approved by the court. There has been little or no progress made on the remaining two suits.

Dave is working on a part-time basis as he had proposed seems to be effectively working out. The new hours and other updated info have been posted on the town's website.

The Warren County Assessors and Dave have been building support across the State for support of amending the Condo Law to give a local option to new projects. He spoke on behalf of the proposed legislation at the President's Committee at the annual NYSAA conference in Lake Placid.

At the conference, he was also awarded by the New York State Assessors for an Outstanding Contribution to the Assessment and Appraisal field. Dave stated that although there are many others just as worthy, it has been an honor to serve in each of these professions continually since 1980.

Councilmember Susan Wilson

Councilmember Wilson stated that she and Supervisor Conover had met with the A.P.A. and the LA Group, to go over the A.P.A.'s informal review comments. Councilmember Wilson said that it was a very productive meeting and that the LA Group is now in the process of making the updates to reflect the changes, and will send it back to the A.P.A. for a more formal review. Councilmember Wilson stated that upon approvals we can schedule a public hearing and then look to adopt a new Zoning Code.

- Resolution to approve additional funding for planning purposes to finish Zoning Code updates in an amount not to exceed \$5,000.

Councilmember Wilson stated she would like to put an additional \$5,000.00 into paying for these planning services and to finish the updates.

Councilman MacEwan asked if the LA Group had submitted a bill. Councilmember Wilson stated that they had been submitting them all along. Supervisor Conover asked if this amount should take us to the end. Councilmember Wilson said it is close, but she is not sure if they would need more before it was complete.

Supervisor Conover talked about putting the new code on the Town web-site in a new user friendly format.

RESOLUTION#230

Councilmember Wilson moved, seconded by Councilmember Bolton to approve additional funding for planning purposes to finish Zoning Code updates in an amount not to exceed \$5,000. All in Favor. Motion Carried.

Code Enforcement- 20 page report, 19 site visits.

Planning/Zoning- Collected \$803.75 for fees and applications

Library- November 13th, Henry Caldwell will be the third speaker in the talks by local experts. He will be talking antique and collectible fishing tackle. On December 11th, Peter White will be doing a presentation on ice sailing.

Councilmember Cheryl Bolton

Clerk's Office- September 2013

- They have issued 30 marriage licenses to date.
- Penny and Jodi attended BAS training, our Clerk's computer program, on October 24th which enabled us to upgrade our current system at no charge. The upgraded system now allows for more detailed payment options.
- Jodi also attended DECALS training, which will allow us to continue selling NYS hunting and fishing licenses. Their system will be totally revamped beginning early next year.

They have completed their final water billing cycle along with preparing the re-levy and forwarding it to the county.

Recreation-

- Attendance- September 47, October-68

Fall/Winter Programs

- The Zumba program has been extended through December 18. Monday 6pm, Wednesday 9am at The Community Center. Zumba Gold has been canceled due to poor attendance.
- The Gore Regional School Program registration is between Friday-10/25/13-11/8-13. The program dates are Jan. 5, 12, 26, 2/2, 9, 23. Program rates are:
- Lift & lesson \$132; Lift, lesson, rental \$222; Lift, lesson, helmet only rental \$162; or Pass holder rate \$78
- The Legend of Sleepy Hollow puppet show was held Sunday 10/27/13 from 12-12:45 in the Town Hall meeting room. **50 people were in attendance.**

NEXT MEETING: Thursday 11/21/13 is the third Thursday of the month.

Bolton EMS- We are down to 12 active volunteers and by the end of the year our President/Captain is expected to resign his position and from the squad. Of the remaining volunteers here is the breakdown of certification levels:

Our paid staff breaks down as follows:

EMT-B - 4

Critical Care Tek - 2

Paramedic - 4

All of the staff work a variety of part time shifts ranging from one 12 hour shift, some 24 hour shifts and a couple a total of 36 hours. We try to keep the maximum hours of any one employee to 36 hours in order to allow for having to work beyond shift change due to an ambulance call that runs long. This minimizes the need to pay overtime.

At present none of our employees receive any medical, pension or vacation benefits. We are hearing that some agencies are providing some of these benefits in order to attract personnel from the limited pool of people; particularly at the ALS (Advanced Life Support) level. The local private ambulance service, Empire, does so now.

The Bolton EMS operating certificate and controlled substance (narcotics) license from NY Dept. of Health expires November 30, 2013. The renewal applications have been submitted.

We currently have two ambulances, one is a 1993 model and the other a 2010. Ambulances are rotated monthly in order to spread the wear and tear; however, there are times when both ambulances are used because of multiple patients from such events as motor vehicle accidents, fires or other mass casualties. The 1993 unit is due to be replaced as the repair costs are starting to mount. We are looking at various alternative configurations in order to minimize replacement cost.

Parks Department –

Councilmember Bolton read off just a few of the many jobs the Parks Department has completed this month.

- They have poured and completed the concrete slab for the metal bin at the transfer station.
- They worked on putting in a new side walk by the bank ATM.
- They worked with the Sewer and Highway Departments.
- They are doing various jobs to close the Parks for the season.

Councilmember Bolton stated that the Parks Department has been very helpful to the other departments in various projects.

Councilmember Bolton said that George Mumblow will complete his training for the Animal Control Officer position on Thursday.

Councilmember Bolton thanked Mariann Roberts-Huck and Kate Persons for helping with the training and backup for payroll.

Supervisors Report:

- Receipts: \$541,700.64
- Disbursements: \$1,031,931.26

- Warren County Sales Tax: Bolton: 3rd quarter, up 2.5% from last year; year to date (3 quarters, up 1.4%)
- Restrooms at Rogers complete. Supervisor Conover stated they look very nice.
- Potter Hill Road, blasting work complete, paving underway.
- BCS Generator Project, invitation to submit grant application to Hazard Mitigation Program; application was prepared and submitted. Supervisor Conover said it has been accepted as complete and he thanks the School District for their help.
- Town Hall front entryway roof drains have been fixed and a removable, plastic type panel installed which will greatly aid any future maintenance
- New step railings on south side of Town Hall have been installed.
- Big thank you to Willie Bea McDonald and Bonnie Donnelly for Bolton's fall decorations.
- Congratulations to the Conservation Park Committee and volunteers that made the Fall Harvest Festival such a wonderful event at the Conservation Park. Supervisor Conover stated that this event was enjoyed by everyone.
- Sidewalk replaced on Goodman Avenue by Parks Department, shoulder repaved. Supervisor Conover explained that the county had striped it and it looks good.
- New pedestrian street lights being installed on Lake Shore Drive, 6 will be installed. Supervisor Conover stated these were more energy efficient and downward shield lights.
- Congratulation to Jason Saris and his son Johnny Saris on their winning the Offshore Powerboat Association World Championship in Ocean City, Maryland. Supervisor Conover stated that this was a great credit to them.
- Congratulations to the Library Board and volunteers on a very successful cook-off
- Fund for Lake George notification that the Jefferson Project will be completing a high resolution survey which will entail flying at 500 meters above the lake.
- Congratulations to Wauneata Waller & volunteers for being awarded for promoting tourism in our area.

New Business:

- Resolution approving Bolton Landing Chamber of Commerce request to utilize Rogers Memorial Park Friday and Saturday June 6 & 7 for Bolton Bikes and Bands Festival including vendors and music from 10am to 5 pm, including waiver of parking fee for motorcycle parking at Rogers Park.

RESOLUTION#231

Councilman MacEwan moved, seconded by Councilman Maranville approving Bolton Landing Chamber of Commerce request to utilize Rogers Memorial Park Friday and Saturday June 6 & 7 for Bolton Bikes and Bands Festival including vendors and music from 10am to 5 pm, including waiver of parking fee for motorcycle parking at Rogers Park. All in Favor. Motion Carried.

- Resolution approving Bolton Landing Chamber of Commerce request to utilize Rogers Park for Crossroads to the French and Indian War Encampment on June 14 & 15, battles at 2 pm, Saturday and Sunday and utilization of a small section of parking lot during battle times.

RESOLUTION#232

Councilman Maranville moved, seconded by Councilmember Bolton to approve Bolton Landing Chamber of Commerce request to utilize Rogers Park for Crossroads to the French and Indian War Encampment on June 14 & 15, battles at 2 pm, Saturday and Sunday and utilization of a small section of parking lot during battle times.

Councilmember Wilson stated this was a great event and it brings in a good crowd.

- Resolution approving Bolton Landing Chamber of Commerce request to utilize Rogers Park on Sunday, August 31, 2014 Labor Day Celebration and Fireworks at 8 pm and music in the Park, 5 pm to 8 pm at the Bolton Pier Gazebo.

RESOLUTION#233

Councilmember Wilson moved, seconded by Councilman MacEwan to approve Bolton Landing Chamber of Commerce request to utilize Rogers Park on Sunday, August 31, 2014 Labor Day Celebration and Fireworks at 8 pm and music in the Park, 5 pm to 8 pm at the Bolton Pier Gazebo. All in Favor. Motion Carried.

- Resolution approving 38th running of Adirondack Run in Bolton on Sunday, June 22, 2014 and use of Rogers Park for the race finish including Bolton Police assistance for traffic control.

RESOLUTION#234

Councilman Maranville moved, seconded by Councilmember Bolton to approve 38th running of Adirondack Run in Bolton on Sunday, June 22, 2014 and use of Rogers Park for the race finish including Bolton Police assistance for traffic control. All in Favor. Motion Carried.

- Resolution authorizing the re-levy of outstanding 2013 receivables in the Town of Bolton Water and Sewer Districts on the 2014 County tax bills in the total amount of \$39,460.91 (water: \$26,743.13; Sewer: \$12,717.78)

Supervisor Conover explained that this was done each year. Councilman Maranville inquired if this was for bills that landowners had not paid and if it went on their County taxes. Supervisor Conover replied yes.

RESOLUTION#235

Councilman MacEwan moved, seconded by Councilman Maranville to authorize the re-levy of outstanding 2013 receivables in the Town of Bolton Water and Sewer Districts on the 2014 County tax bills in the total amount of \$39,460.91 (water: \$26,743.13; Sewer: \$12,717.78) All in Favor. Motion Carried.

- Resolution that the office of the Town Clerk for the Town of Bolton and Jodi Connally presently serving as the Town Clerk shall be authorized on behalf of the Town of Bolton to enter into a continuing agreement with the New York State Department of Environmental Conservation and any subcontractor pursuant to the Environmental Conservation Law and applicable rules and regulations to act as an agent to issue New York State licenses to qualified applicants for the privilege of hunting and fishing in New York state and the Town Clerk shall be further authorized by this resolution to qualify as such licensing agent and to take such training as may be provided and shall be further

authorized to appoint and train personnel in the Town Clerks Office for the issuance of such licenses.

RESOLUTION#236

Councilmember Bolton moved, seconded by Councilman Maranville to authorize the office of the Town Clerk for the Town of Bolton and Jodi Connally presently serving as the Town Clerk shall be authorized on behalf of the Town of Bolton to enter into a continuing agreement with the New York State Department of Environmental Conservation and any subcontractor pursuant to the Environmental Conservation Law and applicable rules and regulations to act as an agent to issue New York State licenses to qualified applicants for the privilege of hunting and fishing in New York state and the Town Clerk shall be further authorized by this resolution to qualify as such licensing agent and to take such training as may be provided and shall be further authorized to appoint and train personnel in the Town Clerks Office for the issuance of such licenses. All in Favor. Motion Carried.

- Resolution authorizing Supervisor to sign professional service contract with Schoder River Associates for engineering and survey services on Potter Hill Road Culvert in an amount not to exceed \$8,900.

RESOLUTION#237

Councilman Maranville moved, seconded by Councilmember Bolton, to authorize Supervisor Conover to sign professional service contract with Schoder River Associates for engineering and survey services on Potter Hill Road Culvert in an amount not to exceed \$8,900. All in Favor. Motion Carried.

Supervisor Conover explained that this was the large culvert that Finkle Brook goes under and they hope to sleeve and line this. He explained that this would be in place of tearing up the whole road and it will save money.

- Resolution authorizing Supervisor to pay half of Grant Assistance and Preliminary design service of AES Northeast for generator project at Bolton Central School in the amount of \$7,279.50.

RESOLUTION#238

Councilman Maranville moved, seconded by Councilmember Bolton to authorize Supervisor Conover to pay half of Grant Assistance and Preliminary design service of AES Northeast for generator project at Bolton Central School in the amount of \$7,279.50. All in Favor. Motion Carried.

Supervisor Conover stated that this was the consultant that is assisting the school district in the preparation of the grant application and the engineering and design work for the installation of the generator at the school. Supervisor Conover explained that the Town was going to partner with the school on this project. Councilman Maranville stated that he thought this was an important project, and asked how long the plans would take. Supervisor Conover stated that they were doing it the project in stages. Christina Dunalewicz, District Clerk from the school explained that some aspects of the project were dependent on the amount of funds received from the grants, so it

could take some time, depending on how long it took for Federal and State approvals and right now it is under cost analysis review.

- Resolution modifying Town of Bolton bi-weekly pay date from Wednesdays to Thursdays effective first pay period, November 14, 2013.

RESOLUTION#239

Councilmember Bolton moved, seconded by Councilmember Wilson to modify the Town of Bolton bi-weekly pay date from Wednesdays to Thursdays effective first pay period, November 14, 2013. All in Favor. Motion Carried.

Supervisor Conover stated that this was due to the many Monday holidays. Councilman Maranville asked if all the employees had been informed of this change. Supervisor Conover replied yes.

- Resolution authorizing the payment of the December abstract to be paid on December 2, 2013 (one day prior to Board Meeting).

RESOLUTION#240

Councilman Maranville moved, seconded by Councilman MacEwan to authorize the payment of the December abstract to be paid on December 2, 2013 (one day prior to Board Meeting). All in Favor. Motion Carried.

Supervisor Conover explained the necessity of this and he asked the Board members to come in early and review and initial their packets.

- Resolution authorizing use of Rogers Park for the Bolton Craft Fair on May 24, 25; July 4, 5, 6; August 9 and 10, August 30, 31 and October 12, 13, 2014 with setup the afternoon / evening before each start date.

RESOLUTION#241

Councilmember Bolton moved, seconded by Councilmember Wilson to authorize the use of Rogers Park for the Bolton Craft Fair on May 24, 25; July 4, 5, 6; August 9 and 10, August 30, 31 and October 12, 13, 2014 with setup the afternoon / evening before each start date. All in Favor. Motion Carried.

Supervisor Conover indicated he had received some calls from local restaurateur's expressing their concerns about food being sold at this event. Supervisor Conover stated that one of the business owners suggested they have a food court and open it to any Bolton business that would like to participate. Councilman Maranville asked if the Board only approved the use of the site for an event and not what they could or could not do. He also inquired if Gail Street was still in charge of this event. Councilmember Bolton replied that Mrs. Street was the representative for this event and that it was housed under the Rescue Squad as a fundraiser for them.

Councilmember Bolton stated that in the past this was not a food venue, and this is a new spin on the event. Councilmember Bolton stated that the question is, will it be open to everyone or do they pick and choose who can be involved in this event. She believes it should be open to all Bolton restaurants if they want to pay for a spot. Councilmember Maranville asked if this was

their decision, he stated he did not care if there was food at this event or not, but it should be one or the other and if there was it should be open to all Bolton residents.

Councilman MacEwan asked if this was even part of the Boards decision. Supervisor Conover stated that the Board could indicate that there is a concern and it could be open to all local residents. Councilmember Bolton stated that the question is if the Board is in support of food being sold in the park or not by Bolton residents. Supervisor Conover indicated that he would speak with Gail Street about this.

Public in Attendance:

Town Counsel Michael Muller asked the Board for a resolution on the settlement agreement between the Town and TOPS Markets, LLC., which will resolve six items of litigation. He indicated this would settle a long series of cases and it is a great settlement.

- Resolution to authorize the Town Attorney to enter into a settlement agreement for a court stipulated order and resolution of all litigation in which TOPS Markets, LLC (owner and tenant) challenged the tax assessment for three prior years upon the terms of settlement obtained and recommended by Assessor David Rosebrook. The terms of settlement provide for reimbursement of prepaid tax by the Town and County, without interest, no refund of school tax with reduction in assessment to take effect immediately upon order of the court.

RESOLUTION#242

Councilmember Wilson moved, seconded by Councilman Maranville to authorize the Town Attorney to enter into a settlement agreement for a court stipulated order and resolution of all litigation in which TOPS Markets, LLC (owner and tenant) challenged the tax assessment for three prior years upon the terms of settlement obtained and recommended by Assessor David Rosebrook. The terms of settlement provide for reimbursement of prepaid tax by the Town and County, without interest, no refund of school tax with reduction in assessment to take effect immediately upon order of the court. All in Favor. Motion Carried.

Zandy Gabriels spoke about food being served in the park. He asked for a copy of the new Zoning Code for the public and the possibility of putting this on the web-site. He inquired about the Water Department flushing the hydrants. Mr. Gabriels brought up the equalization rates again and shared his thoughts on these. He also suggested that the Board find the money to buy a new truck for the Highway Department.

Transfer The Bills: Motion to transfer the bills.

RESOLUTION #243

Councilmember Wilson moved, seconded by Councilman Maranville to approve the following transfers: All in Favor. Motion Carried.

TRANSFERS FOR NOVEMBER 2013

TO:

FROM:

AMOUNT:

GENERAL FUND:

1355.4 Assessor CE	1355.1 Assessor PS	\$406.00
1410.4 Town Clerk CE	1670.4 Central Print/Mail CE	\$7.00
1620.1 Buildings & Grounds PS	7110.1 Parks PS	\$2,629.00
1620.1 Buildings & Grounds PS	1990.4 Contingency	\$5,092.00
1620.4 Buildings & Grounds CE	1990.4 Contingency	\$8,901.00
1650.4 Central Communication CE	1670.4 Central Print/Mail CE	\$711.00
3120.4 Police & Constable CE	3120.2 Police & Constable EQ	\$302.00
5182.4 Street Lighting CE	5132.4 Garage CE	\$3,890.00
7110.4 Parks CE	5132.4 Garage CE	\$1,824.00
8510.1 Comm. Beautification PS	7150.4 Conservation Park CE	\$541.00
8664.4 Codes Enforcement CE	8664.1 Codes Enforcement PS	\$83.00

To Increase Budget: \$17,478.00 7997.4 Trails Master Plan
Revenue: 3897 NYS Grant \$69,000.00
\$6,000.00 8740.4 Watershed
Revenue: 3897 NYS Grant \$9,347.00

HIGHWAY:

1440.4 Professional Services	5110.1 General Repairs PS	\$1,434.00
5140.4 Brush & Weeds CE	5148.4 Service to Other Gov. CE	\$98.00

To Increase Budget: \$133,278.00 5120.2 Bridges / Culverts
Revenue: 3897 NYS Grant \$69,000.00

SEWER:

8110.4 Administration CE	8130.4 Treatment/Disposal CE	\$1,993.00
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WATER:

8330.2 Purification EQ	8310.2 Administration EQ	\$1,917.00
8330.4 Purification CE	8310.2 Administration EQ	\$3,221.00

Pay Bills: Motion to Pay Bills

RESOLUTION #244

Councilman Maranville moved, seconded by Councilmember Bolton to approve payment of the following bills: All in Favor. Motion Carried.

Voucher: Amount:

October Mid Abstract 10A		
Highway	396	\$2,000.00
October Mid Abstract 10B		
General	1267-1285	2,372.32
Highway	429	17.35
Sewer	205-208	4,257.39
Water	241,242	1,074.34
Lights	1275,1285	809.02
November Abstract 11		
General	1183-1266 1286-1306	42,722.55
Highway	397-428 430-443	412,477.30
Sewer	198-204 209-213	5,238.03
Water	226-240 243-252	18,721.03
Tourism	43-46	12,036.00
Street Lights	1, 1305 1307	5,635.99
Rogers Park Docks	4	17,219.61
Zoning Update	5,6	4,075.55

Executive Session: To discuss employment history of particular individual, matters involving possible litigation.

RESOLUTION #245

Councilmember Bolton, seconded by Councilman Maranville to enter into executive session to discuss matters involving ongoing litigation. All in Favor. Motion Carried.

- No Action Taken.

Adjourn: 8:55

Minutes respectfully submitted by:

Jodi Connally
Town Clerk

Katie Persons
Minute Taker