

State of New York

County of Warren

Town of Bolton

Special Meeting

December 27, 2007

Present: Supervisor Alexander Gabriels III, Councilmen Jason Saris, Councilman Scott Andersen, Town Clerk Kathleen Simmes.

Absent: Councilman Owen Maranville, Councilman Robert MacEwan

Pledge of Allegiance: Councilman Andersen

Supervisor Gabriels called the meeting to order at 10:15 a.m.

Two announcements:

January Organizational meeting will be held at 7:00 p.m. on January 8, 2008, followed by the regular meeting.

The Town has begun action under its authority to demolish the Barbara law residence pursuant to a Supreme Court order.

Supervisor Gabriels wishes everyone a Happy New Year and a wonderful 2008.

PUBLIC IN ATTENDANCE

Keith Scott questioned why the sewer rents for the Algonquin have doubled.

Supervisor Gabriels stated that during the budget workshops that the charges for your sewer had to go up.

Councilman Saris stated that he always talks to Chet Dagles, Sewer Superintendent, before the budget is finalized and Chet is disappointed in the product that you deliver.

Our plant doesn't work with septic and the product that is delivered by your truck is not supposed to be septic. When it is it causes lots of problems for the operation of his plant.

We have had these conversations before, and there were things you were supposed to do to see that it doesn't turn septic. Chet wanted to terminate the contract altogether. It's not worth the amount of work they have to put in. His feelings is that it comes from you because you are the only one that puts anything in our system other than from our own sewer lines. It has become quite difficult for them to deal with. Chet says this reflects in the costs to the Town on what you deliver. If the quality of the product changed, we would reconsider. We will always listen to anything you might have to say.

We are not trying to subsidize the sewer system on your back, but on the other hand when we have our operator saying he doesn't want to deal with this anymore, it puts us in a tough spot. Chet does a very good job running our plant.

Keith Scott stated that Chet has never come to him or Mr. Huck. We do not operate any differently than any other restaurant up and down the strip. We cook, we clean, and we have people who use the bathrooms, that's it. It may be a different situation to deal with the natural flow through pipes and how that works. I don't want to make it any harder than it has to be, but he is working for the Town. We are a part of the Town and we are a great asset to the Town. We employ a lot of people, we pay sales tax to the Town and for them to come at us and say they don't like what happens, because we assume it's coming from you. That's not right. We have also asked the Town about extending the sewer system to come down there. In conversations with some of you, there are issues that need to be addressed. I understand that the sewer budget is somewhere around \$300,000. At \$36,000 a year that is 13% of the sewer budget. That will cost us \$59 per thousand gallons, versus someone in the district paying \$4 per thousand. At that price I don't see that property staying a restaurant. There are a lot of opportunities for that property. I need to sit down with Chet and discuss. One of the nicest draws for Bolton Landing is to be able to dock your boat and have lunch or dinner.

Councilman Saris stated that he and Keith have had this conversation before. I got phone calls this summer from Chet, saying look this did not come out of our sewer system. I would be happy to sit down with you and Chet to discuss this matter.

Keith Scott stated that at a cost of \$18,000 and other expenses, our numbers are \$45,000 a year to take care of the sewage. We will look at other alternatives.

Supervisor Gabriels: I have no idea of the cost to run a line that extra mile is going to be, other than it could cost \$130 per linear foot and other unknown pumping costs, trenching.

The Town Board has made a decision to see if we can get the force main from the North pump station to the Norowal station relocated and repowered with new motors and a generator. through an existing grant we have in place. Using the Federal funds to extend to the south would require an amendment to the grant. We hope we will get permission to relocate the force main.

Further discussion followed

Councilman Saris stated that if we could find a way to change the quality of the product that you deliver. Chet would recommend a reduced rate. If that is something you would like to do, we could meet with Chet.

Keith Scott said he is willing to meet with Chet and anyone on the board. Maybe Chet needs to come down and inspect our property.

Councilman Saris stated we should get together.

RESOLUTION #255

Councilman Andersen moved seconded by Councilman Saris to accept the resignation from Town Clerk, Kathleen Simmes, effective 12/31/2007. As Town Clerk for many years she deserves credit and recognition. She has done a good job. All Favorable. Motion Carried. Absent Councilman MacEwan and Maranville

Supervisor Gabriels stated that the Town Board needs to go on record that we gratefully express our appreciation to Kathy Simmes for serving as Town Clerk for 29 years. We wish her the best of luck and assure her that the Town Board will support her in her endeavors for the next two years in her term of office as the Supervisor.

RESOLUTION#256

Supervisor Gabriels moved seconded by Councilman Andersen to appoint Patricia Steele as the Town Clerk effective 1/1/2008. All Favorable. Motion Carried. Absent: Councilman MacEwan and Maranville.

RESOLUTION#257

Councilman Saris moved seconded by Councilman Andersen that since Patricia Steele is going to be the Town Clerk that she be paid the remainder of her vacation time in the amount of 132.5 hours. This is vacation time accrued as Deputy Town Clerk. All Favorable. Motion Carried. Absent: Councilman MacEwan and Maranville.

RESOLUTION#258

Councilman Saris moved seconded by Councilman Andersen for the record that Patricia Steele be allowed to set aside her 905 ¾ of sick time that could be used toward retirement or kept in case her position changes back to a position that accrues sick time. All Favorable. Motion Carried. Absent: Councilman MacEwan and Maranville.

Supervisor Gabriels explained that the Water Department has a broken raw water intake pump. There are two pumps and they take the raw water from the pond and send it to the plant. They are vertical pumps. Years ago we had a similar problem and one pump was rebuilt and put in storage. This pump was recently installed and it is already having problems. We are down to one pump. We need to resolve this matter. We have two options: We could get Rolfe Industries to rebuild the existing pump, or we could go with new technology from Siewert. The cost would be about \$25,000 either way.

Councilman Saris: From the emails it sounds like the new technology seems a better way to go.

RESOLUTION#259

Councilman Andersen moved seconded by Councilman Saris to authorize John Perry to move forward with the purchase of a pump with the new technology from Siewert. This is an emergency situation. Funds will come from the General Fund for now. All Favorable. Motion Carried. Absent: Councilman MacEwan and Maranville.

Councilman Saris questioned the poll of the employees regarding the Health Insurance and the 16% increase, of which the Town pays 75% of the cost. Is allowing a poll of the employees an official policy of the Town or an informal policy? Is it their decision or ultimately the Town Board's decision?

Supervisor Gabriels: Seeking the opinion of the employees is a courtesy. Polling them is a courtesy. This is a contract between the Town and the Health Insurance carrier for the benefit of the employees. The final obligation is for the Town Board. We need a resolution from the board to enter into either contract.

Councilman Andersen: I recall at the last meeting we asked the employees to attend a meeting at 5:00 p.m. to voice their opinion. I asked Donna if they would come and I believe that the answer was, they probably wouldn't come at 5:00 p.m. If they can't come for as big an issue that affects what we pay for them, which is probably \$7000 a person, of which the majority don't contribute and the minority are the one's who contribute 25%.

Donna: We only have two in the general fund that don't contribute. 80% do contribute a 25% toward the insurance.

RESOLUTION#260

Councilman Saris moved seconded by Supervisor Gabriels to ratify the contract and stay with the same Health Insurance plan with Blue Shield NE New York. This is an increase of 16.47% in rates. Councilman Saris yes, Supervisor Gabriels yes, Councilman Andersen no. Absent: Councilman MacEwan and Maranville.

It was noted that a simple majority of three votes is needed to pass a resolution.

Councilman Saris asked what would happen if we don't ratify a contract tonight. Donna Boggs is not sure.

Councilman Saris asked if we were to ratify the less expensive contract, could that be done and in place in time. Donna Boggs doesn't know. That is poor planning on our part. In the future we better have a special board meeting to allow time. Donna explained that we did have a Town Board meeting scheduled and there wasn't a quorum. Supervisor Gabriels: What we have is elected officials and we didn't have enough elected official participation to ratify this. Donna is correct and no one was going to show up for that one either.

Councilman Saris: I can speak for myself, as I had personal issues and I did not know we had a meeting to discuss health insurance.

RESOLUTION#261

Councilman Saris moved seconded by Councilman Andersen that due to a lack of employee participation to ratify the contract with Blue Shield NE New York and accept the health insurance plan that only has a 9.4% increase in rates. All Favorable. Motion Carried. Absent: Councilman MacEwan and Councilman Maranville.

Supervisor Gabriels requested that Mrs. Boggs notify everyone.

The board tabled any action on the Conservation Park property.

NEW BUSINESS

Supervisor Gabriels explained there was a recent case in Buffalo concerning the State payment of taxes or payments in lieu of taxes on State owned land. The case has been stayed while the Attorney General considers an appeal. The Supreme Court judge was unclear about the payment of taxes within the blue line, which the State does by Legislation. It is unclear if his decision will impact us or not. It is a significant issue for Bolton and other Towns within the Blue line. If that provision is upheld and the State, by law does not pay taxes, it has implications to the County, Town and Schools.

Discussion followed.

RESOLUTION#262

Councilman Saris moved seconded by Councilman Andersen to adopt a resolution stating that the Town Board requests that the State continue to pay taxes on State forest preserve lands and that a copy of this resolution be sent to the Legislature. All Favorable. Motion Carried. Absent: Councilman MacEwan and Maranville.

The board discussed the Town Hall heating system. C.T. Male has made an evaluation, but has not put any cost estimates for three options they are proposing. The board will request the cost estimates.

Councilman Saris stated that since we use the basement as space for the Recreation center the boiler is not large enough.

Councilman Andersen questioned if Triad is a manufacturer, can we make sure they evaluate that and the components that go along with it. It seems the system we have is very limited by the number of qualified people who are able to work on it. Maybe we should change that, so that we can have something that would allow more professionals to be able to work on it.

Councilman Saris requests that the buildings & grounds department take the recommendations concerning the thermostats and other improvements and implement them.

The board discussed the vacancy on the Board of Assessment review. The Assessor has someone in mind for the position.

RESOLUTION#263

Councilman Andersen moved seconded by Councilman Saris to approve the Bolton Bed Tax Committee's recommendations for expenditures from the Occupancy tax funds in the amount of \$137,125 which includes a \$300 increase for the block party to be held in May. All Favorable. Motion Carried. Absent: Councilman MacEwan and Maranville.

RESOLUTION#264

Councilman Andersen moved seconded by Councilman Saris to support the Lake George Watershed Conference request to apply for a smart growth grant in the amount of \$100,000.00 for a Lake George Watershed Regional Road Deicing Alternative Demonstration Project. All Favorable. Motion Carried. Absent: Councilman MacEwan and Maranville.

There was a discussion of a request from Ted Allen to place a 40 gallon container at the transfer station to collect cooking oil. We do not take cooking oil at the landfill at the present time.

The board discussed the old water department truck. Should we fix it or sell it. The board will request John Perry get another estimate on repair costs.

Councilman Andersen feels that if it can be fixed cheaply we could give it to the landfill for plowing

Supervisor Gabriels explained that the end of the year surplus including the estimated fourth quarter sales tax in the amount of \$500,000 gives a surplus of \$1.4 million. which was the amount handed to me six years ago. This makes the next year's financial ability reasonable.

RESOLUTION#265

Councilman Saris moved seconded by Councilman Andersen to transfer \$100,000 from unappropriated surplus to the Rogers Park fund for the pier construction. All Favorable. Motion Carried. Absent: Councilman MacEwan and Maranville.

Councilman Andersen asked if the amount to the Conservation Park could be more than \$100,000. Supervisor Gabriels believes that the Capital Reserve fund has a cap of \$350,000. Discussion followed.

RESOLUTION # 266

Councilman Andersen moved seconded by Councilman Saris to transfer sufficient funds into the Conservation Park Capital Reserve fund to bring the total amount in the account to \$350,000. All Favorable. Motion Carried. Absent: Councilman MacEwan and Maranville.

RESOLUTION #267

Councilman Andersen moved seconded by Councilman Saris to make the following end of the year transfers.

From	To	Amount
General Fund		
10104 Town Board	12202 Supervisor	\$390.00
10104 Town Board	12204 Supervisor	155.00
14104 Town Clerk	13304 Tax Coll	750.00
13552 Assessor	13554 Assessor	100.00
14404 Prof.Services	14204 Attorney	5,300.00
Surplus	16202 Bldgs & Grds	28,769.00
14404 Prof.Services	16204 Bldgs & Grds	10,000.00
14304 Personnel	16204 Bldgs & Grds	10,000.00
19104 Insurance	16502 Telephones	3,268.00
10104 Town Board	16704 Central Printing	1,235.00
56501 Park Attendants	51324 Garage	200.00
51322 Garage	51324 Garage	2,800.00
10104 Town Board	51822 Light	143.00
31201 Police	71102 Parks	10,918.00
31201 Police	71104 Parks	1,550.00
19904 Contingency	71104 Parks	3,450.00
16201 Bldgs & Grds	71104 Parks	3,500.00
71404 Recreation	71402 Recreation	826.00

71802 Ballfield	71504 Cons Park	1,000.00
31201 Police	81601 Landfill	2,500.00
10104 Town Board	85104 Beautification	100.00
31201 Police	86641 Code	3549.00
86644 Code	86641 Code	1000.00
86644 Code	86642 Code	400.00
71802 Ballfield	87454 Flood Control	1000.00
30102 Safety	87454 Flood Control	3450.00
14504 Elections	87454 Flood Control	3000.00
19104 Elections	90108 Retirement	1037.00
13551 Assessor	90108 Retirement	2700.00
13551 Assessor	90408 Workmens Comp	885.00
13551 Assessor	90608 Insurance	347.00
Surplus	Conservation Park	\$100,000.00
Surplus	Rogers Docks	\$100,000.00
Surplus 5031 Highway	\$150,000.00	

51304 Machinery	\$35,000.00
51424 Snow Removal	5,000.00
51481 Services	40,000.00
51104 Road Repairs	70,000.00

Increase Chips Revenue 3501	13,180.00
51104 Road Repairs	3,279.00
51122 Chips	2,219.00

51301 Machinery		1,630.00
90608 Insurance		2,219.00
90408 Wkms Comps	51301 Machinery	1,089.00
90558 Disability Ins.	51204 Bridges	20.00
Water District		
83304 Purification	83101 Administration	4754.00
83304 Purification	83104 Administration	7500.00
83304 Purification	83204 Source	1000.00
83304 Purification	90308 Social	837.00

All Favorable. Motion Carried.

PUBLIC IN ATTENDANCE

Deanne Rehm: Thank you to Scott Andersen and Zandy Gabriels for their years of service.

Supervisor Gabriels: I appreciate that very much.

Councilman Andersen: I appreciate the opportunity to have been here.

Councilman Saris: I would add that it has been an honor and a privilege to serve with both of you.

Councilman Saris moved seconded by Councilman Andersen to pay the end of the year bills. All Favorable. Motion Carried. Absent: Councilman MacEwan and Maranville.

Supervisor Gabriels presented a clock plaque to Scott Andersen as a token of the Town's appreciation for his many years of service.

Councilman Andersen: Thank you very much everybody. It is a great town to be associated with and filled with great people.

Donna Boggs presented Supervisor Gabriels also with a clock plaque in appreciation of his years served.

Supervisor Gabriels: It has been a privilege and honor to serve as Supervisor for the last six years. It has been a great board to work with.

Supervisor Gabriels moved seconded by Councilman Andersen to adjourn at 12:30 p.m

All Favorable. Motion Carried. Absent: Councilman MacEwan and Maranville.

Respectfully submitted by:

Kathleen Simmes

Town Clerk