

Special Meeting

December 28, 2004

STATE OF NEW YORK
COUNTY OF WARREN
TOWN OF BOLTON

Present: Supervisor Alexander G. Gabriels III, Councilmen Scott Andersen, Rob MacEwan, Jason Saris, Edward White, Town Counsel Michael Muller, Town Clerk Kathleen Simmes

Supervisor Gabriels called the meeting to order at 11:10 a.m.

RESOLUTION#292

Councilman Saris moved seconded by Councilman White to establish a Capital Reserve fund for the Conservation Park building and to place \$100,000 in the reserve account from 2004 surplus funds.

RESOLUTION#293

Councilman Saris moved seconded by Councilman White that when an existing water meter needs to be replaced due to any malfunction that the replacement be made with the new drive by meter technology. All Favorable. Motion Carried.

The board discussed the Rainbow Beach tax certiorari.

RESOLUTION#294

Councilman Andersen moved seconded by Councilman MacEwan that due to a clerical error in the assessment of property located on tax map #186.18-1-29 and part of Rainbow Beach Association, that the total assessment be lowered from \$5,935,700 to \$5,865,100 resulting in a difference of \$70,600. The 2005 Town and County tax bill will be lowered by \$281.48. All Favorable. Motion Carried.

RESOLUTION#295

Councilman Saris moved seconded by Councilman White to amend Resolution #280 to show that the Town Board agreed that the insurance company will have the authority to decide on the settlement of claims without the consent of the Town Board. All Favorable. Motion Carried.

RESOLUTION#296

Councilman Andersen moved seconded Councilman MacEwan that the Peebles tax certiorari is settled since both parties agree. The reduction in assessment for tax map #171.11-2-15 owned by Gertrude and Joan Peebles is reduced by \$50,000 for 2004 assessment and for three subsequent years. All Favorable. Motion Carried.

We have received seven applicants for the position of Dog Control/Animal Control Officer. We will contact them to be sure they understand that the job is for an on call basis and pays no benefits, and if they are still interested the board will set up interviews.

The board needs to set up a meeting with the Donohue family, DEC and the Town to discuss the groundwater problem on their property located on Mohican Road.

The board discussed the alternative remedy for the Nicoletti property. Counsel advised that there is a court date set for January 26, 2005.

NEW BUSINESS

Resolution #297 of 2004

Councilman White moved seconded by Councilman MacEwan to authorize the following
RESOLUTION AUTHORIZING RECEIPT OF ADDITIONAL OCCUPANCY TAX FUNDS AND EXPENDITURES IN ACCORDANCE WITH THE LOCAL TOURISM PROMOTION AND CONVENTION DEVELOPMENT AGREEMENT

WHEREAS, the Town has received from Warren County certain funding derived from the revenues received by the County as a result of the imposition of Occupancy Tax authorized by the Act of the New York State Legislature (Chapter 422 of the laws of 2003), hereinafter "Occupancy Tax funds", and

WHEREAS, in order to receive the afore-described funding, the Town entered into an agreement titled "Local Tourism Promotion and Convention Development Agreement" with the County which agreement provides that if additional funding is made available by the County for use by the municipality, that such additional funding shall be subject to and expended in accordance with and pursuant to the terms and provisions of the agreement without the need to approve and sign additional agreements, and

WHEREAS, the County of Warren has now offered to the Town of Bolton the additional sum of Twenty Thousand Dollars (\$20,000) for expenditure in accordance with the agreement, now, therefore be it

RESOLVED, that the Town of Bolton accept the Twenty Thousand Dollars (\$20,000) from the County and agree to expend the same in accordance with the local Tourism Promotion and Convention Development Agreement, and be it further

RESOLVED, that Supervisor be, and hereby is, authorized to forward a copy of this resolution together with an executed voucher and take all other action that may be necessary to receipt the funds described herein from the County. All Favorable. Motion Carried.

RESOLUTION#298

Councilman Saris moved seconded by Councilman MacEwan to authorize the return of the \$25 filing fee for a certificate of compliance to Pioneer Homes, contractor for Robert & Elinor Slater, per the Zoning Administrator's memo. All Favorable. Motion Carried.

RESOLUTION#299

Councilman Saris moved seconded by Councilman MacEwan to renew the contract for 2005 with Thermal Associates for the maintenance of the heating and/or cooling systems for the following buildings: Town Hall \$1750, Health Center \$475, Veterans Park \$200, and State Police building \$200. All Favorable. Motion Carried.

The board discussed that in the Spring they will look into the possibility of installing a different heating/cooling system for the Town Hall.

RESOLUTON #300

Councilman Andersen moved seconded by Councilman Saris to authorize Counsel begin a civil action against John & Dennis Barrack tax map #170.00-1-30 for an alternative remedy at \$125 per hour. All Favorable. Motion Carried.

Melanie Quigan sent a memo stating she can no longer do the Town Clerk minutes and it is becoming increasingly difficult to do the other Board's minutes due to the amount of business in their office and since the new position of Code Enforcement Officer was created.

The board discussed with the Zoning Office and the Town Clerk the hiring of someone to take over the minute taking and transcribing of minutes for the Town Clerk, Planning Board and Zoning Board of Appeals. As a result, Pam Kenyon, Zoning Administrator will provide the board with a new job description for Melanie Quigan within a week.

RESOLUTION#301

Councilman Andersen moved seconded by Councilman Saris to advertise for an independent contractor to attend and prepare all Town Board, Planning Board and Zoning Board of Appeals minutes. The deadline to accept applications is January 14, 2005 and interviews will be on January 18, 2005. Salary will be \$8000 per year with no benefits. All Favorable. Motion Carried.

RESOLUTION#302

Councilman Saris moved seconded by Councilman MacEwan to allow Tim Coon to hold a hunter safety course at the Highway Department building since they will only be using air rifles. All Favorable. Motion Carried.

The board discussed the request from the Recreation Department for the possible purchase of a 1997 van from the Sagamore. Due to State laws concerning vehicles that transport children, the board agreed not to proceed at this time with the request.

RESOLUTION#303

Councilman Saris moved seconded by Councilman Andersen to declare the Highway's 1988 ford F800 single axle dump as surplus and to transfer it to the sewer department. All Favorable. Motion Carried.

RESOLUTION#304

Councilman Saris moved seconded by Councilman Andersen to adopt a policy for Sand and Sand/Salt availability to Town of Bolton Residents. Copies will be available at the Town Clerk's Office or at the Highway Department. All Favorable. Motion carried.

RESOLUTION#305

Councilman Saris moved seconded by Councilman Andersen to approve the following budget transfers:

Transfers for December 28, 2004 General Fund		
FROM	TO	Amount
11101 Court Personal	12204 Supervisor	\$171.00

11101 Court Personal	1	13304 Tax Collector	55.00
13554 Assessor		13551 Assessor	619.00
14101 Town Clerk Personal		14204 Attorney	178.00
80201 Planning Personal			5,000.00
71401 Recreation Personal		14404 Prof. Services	1,084.00
19904 Contingency			1,224.00
16201 Buildings & grounds Personal		16204 Bldgs &grds	7,000.00
11101 Court Personal		16504 Cent.Comm.	339.00
11101 Court Personal		16704 Cent. Printing	175.00
14104 Town Clerk Cont.		19504 Water/Sewer	908.00
71401 Recreation Payroll		31201 Police Payroll	1,403.00
14101 Town Clerk Payroll		31204 Police Cont.	248.00
71401 Recreation Payroll		51324 Garage	4,841.00
71102 Parks Equipment		71104 Parks Cont.	214.00
75504 Celebrations		71504 Conservation Park	260.00
80101 Zoning Personal		80102 Zoning Equip	173.00
80101 Zoning Personal		80104 Zoning Cont.	1,781.00
71502 Conservation Park		81601 Landfill Personal	1,800.00
88104 Cemeteries		81602 Landfill Equip	1,500.00
71804 Ball field		81602 Landfill Equip	102.00
85104 Beautification		90308 Social Security	285.00
90558 Disability		90308 Social Security	700.00
71502 Conservation		80304 Research	22,906.00
Highway Department			
51484 Services		51301 Machinery Payroll	2,552.00
51484 Services		51304 Machinery Cont.	11,000.00
Surplus, increase budget		51104 Repairs	40,000.00
Surplus, increase budget		51204 Bridges	4,750.00
Sewer District			
December 7 transfers from General Fund			\$25,000.00
All Favorable. Motion Carried.			

RESOLUTION#306

Councilman Saris moved seconded by Councilman MacEwan to pay the bills. All Favorable. Motion Carried.

Councilman Saris moved seconded by Councilman Andersen to close the meeting at 12:50 p.m. All Favorable. Motion Carried.

Respectfully submitted by:

Kathleen Simmes
Town Clerk

