

BOLTON TOWN BOARD

Pledge: Councilmember Deanne Rehm
Regular Meeting

March 2, 2010

Supervisor: Ronald Conover
Councilman: Robert MacEwan
Councilman: Owen Maranville
Councilmember: Deanne Rehm
Councilman: Gregory Smith (ABSENT)
Town Clerk: Patricia Steele
Counsel: Michael Muller

Call To Order: 7:02pm

Councilmember Rehm drew everyone's attention to the flag that hangs on the wall behind the Town Board members. She stated that this is a replica of the USA flag from 1799. It has been hanging in this location since March 1999 in celebration of our Town's 200th birthday. She stated that they put the flag up over 11 year ago and she is asking for the Town to have it framed and either keep it at the Town Hall or to give it to the Historical Society.

Minutes: Approve minutes of February 2, 2010.

RESOLUTION #45

Motion by Councilman Maranville, seconded by Councilmember Rehm to approve the minutes of February 2, 2010. All in Favor. Motion Carried.

Public Hearings: Notice of Public Hearing

- Local Law #1-2010, To Consider an Amendment to Chapter 200 and Modifications to Section 200-14 regarding Ski Centers.

RESOLUTION #46

Motion by Councilman Maranville, seconded by Councilman MacEwan to declare the Bolton Town Board as lead agency under SEQR regarding Local Law #1. All in Favor. Motion Carried.

Supervisor Conover opened the public hearing.

Rolf Ronning stated that although this doesn't just affect him, he feels that he is the one that precipitated this process. He introduced Ron Mogren from Saratoga Associates who has been able to design something appropriate for a ski center if this law were to change. He stated that this proposal came about shortly after the Sagamore made the decision to close in the winter.

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However, the Sagamore indicated that if there were a ski center in the area, they would consider being open year round. He stated that although he has had his financial problems he still has title to this land off of Hendricks Road and it is a great location for a ski center since it is not in the Lake George Basin.

Rolf Ronning explained that the original subdivision fell into three different zones. The industrial lots were taken by the Adirondack Extreme which is extremely successful. However, it did not bode well for selling the 7-8 residential lots since most people do not want to live next to a commercial business. He stated that one of his lots has 64 acres which is zoned in LC25 and other lots a side of the mountain which would work well as a ski area. He provided further details to what he would like to include for the ski area.

Rolf Ronning stated that he feels that a ski area would prosper in the area and help the community in the off-season. The lots that he is looking to develop for the ski center are in mixed zones. The LC25 zone does allow for ski areas but the RR5/10 zone does not allow for this type of use. He stated that instead of seeking to have a use variance, which is almost impossible to get, he thought that they may want to consider changing the language of the zoning to allow for this type of use. He stated that he has financial backing for the project if this change is permitted. He also has the support of neighbor Ed Gardner who is willing to give him 3 acres of land with a lot line adjustment so that they can reach the top of the mountain. He provided more details of the proposed plan.

Rolf Ronning stated that he feels that he has gotten a lot of positive feedback from the community. He stated that there are no residential homes that would be affected. He stated that the only residence in the area that would be affected is Ed Gardner who is very supportive of the project. He feels that this project would be good for the Town to help establish a year round identity.

Ron Mogren, Saratoga Associates, stated that Rolf Ronning has done a great job of summarizing the proposal. He stated that it is still in the beginning stages of planning right now. Supervisor Conover stated that the details will be dealt with if and when it moves into a project mode. He stated that they are dealing with just the broad zoning issue. Rolf Ronning stated that he just wanted to discuss what might develop if this amendment were to pass.

Rolf Ronning stated that Zandy Gabriels pointed out that the APA feels that they should take out the word "lodge" in their definition of ski area and what goes along with ski areas. He stated that he is concerned that this would have a great impact since he would not be able to provide a place for people to warm up and eat. Counsel Muller stated that it is not prohibited. The proposed legislation does not prohibit buildings, in a ski area it would allow those amenities that he has in mind, such as warming huts, main building. He is not sure why "lodge"

was considered offensive to the APA. Rolf Ronning asked if they will be taking the word out of the language. Counsel Muller replied yes because the word “lodge” is used inside the definition of a ski center.

Supervisor Conover read a letter from Gloria Dingee in opposition to Rolf Ronning’s proposal for a ski center due to her concern of Rolf Ronning’s financial difficulties. The letter is on file in the Supervisor’s office.

Supervisor Conover stated that he will leave this public hearing open until the next TB meeting. He stated that they are lead agency under SEQR and they have a County review underway in which they may be receiving comments from different affected agencies pertaining to this and that is why the matter will be left open.

- Proposed Amendment to Ordinance #39 Rules and Regulations of the Water Department regarding enforcement procedures.

Zandy Gabriels stated that in the first paragraph, before the last sentence it states that property owners need to take action at their own accord. However, this paragraph does not explicitly recognize that the Town has the responsibility of allowing that private property owner to potentially dig in a public highway and it is the lead agency to help that property owner to secure the permissions from the County or State to dig in the ROW (right of way). He suggested that it is clearly indicated in this enforcement rule and regulation that there is reciprocal obligation.

Counsel Muller stated that Zandy Gabriels brought this item to his attention earlier and he was prepared for the language, which he did provide to the Board members for their review. Counsel Muller read the following which is to be added to the proposed legislation: “The Town shall act responsibly and with all administrative expediency necessary in situations where public right-of-ways require to be excavated in order to facilitate necessary repair or replacement at private expense.” Supervisor Conover stated that he does not consider this a substantial change and would entertain a motion to accept the modification to the proposed ordinance.

RESOLUTION #47

Councilmember Rehm moved, seconded by Councilman MacEwan to accept the proposed modification of adding section “e” to the proposed amendment to Ordinance #39 Rules and Regulation of the Water Department as follows: “The Town shall act responsibly and with all administrative expediency necessary in situations where public right-of-ways require to be excavated in order to facilitate necessary repair or replacement at private expense.” All in Favor. Motion Carried.

Zandy Gabriels thanked the Board for the clarification and suggested that it be added to the sewer ordinance as well.

Supervisor Conover read a letter he received from Meredith McComb.

RESOLUTION # 48

Councilman Maranville moved, seconded by Councilmember Rehm to close the public hearing for the proposed amendment to Ordinance #39 Rule and Regulations of the Water Department. All in Favor. Motion Carried.

- Proposed Amendment to Section 30 of the Current Rules and Regulations of The Bolton Sewer District #1, Ordinance #5 and #18 Of the Town of Bolton regarding enforcement procedures.

RESOLUTION #49

Motion by Councilman Maranville, seconded by Councilman MacEwan to accept the modification of adding section “e” to the proposed Amendment to Section 30 of the Current Rules and Regulations of The Bolton Sewer District #1, Ordinance #5 and #18 Of the Town of Bolton regarding enforcement procedures as follows: “The Town shall act responsibly and with all administrative expediency necessary in situations where public right-of-ways require to be excavated in order to facilitate necessary repair or replacement at private expense.”

All in Favor. Motion Carried.

Supervisor Conover opened the public hearing. There were no comments.

RESOLUTION #50

Motion by Councilman Maranville, seconded by Councilman MacEwan to close the public hearing for Amendment to Section 30 of the Current Rules and Regulations of The Bolton Sewer District #1, Ordinance #5 and #18 Of the Town of Bolton regarding enforcement procedures. All in Favor.

Announcements:

- Resolution honoring Madeline Ross and declaring March 11, 2010, on the occasion of Madeline’s 100th Birthday, Madeline Ross day in the Town of Bolton.

RESOLUTION #51

Supervisor Conover, Town Board members and Town Clerk Patricia Steele presented Madeline Ross with a resolution honoring Madeline Ross and declaring March 11, 2010 as Madeline Ross day.

- Maple Festival, Up Yonda Farm on March 7th, 9:00am-3:00pm. Annual Pancake Breakfast (9:00am -12:45 pm - Reservation Required with seating every 45 minutes, \$7 per person, \$4 per person for members , Sugar House – All Day, Tree Taping Demonstrations - all day, Maple Product Samples – All Day (\$4, free for members). Bolton residents can become members (free of charge) by simply filling out the form which can be obtained on line at [.upyondafarm.com/Bolton.htm](http://upyondafarm.com/Bolton.htm) or picking up the application form at Up Yonda Farm or the Town Clerk’s Office. Any question regarding program or membership contact Up Yonda at 644-9767.

Board of Health:

RESOLUTION #52

Councilman Maranville moved, seconded by Councilman MacEwan to convene as the BOH. All in Favor. Motion Carried.

- Michael Dean, 23 Pinewood Drive, Clifton Park, NY 12065 – Parcel ID#198.04-1-2- 455 East Schroon River Road. Variance: Section 3.030C and Table I: Requires that no leaching facility is permitted within 200 feet of the mean high water mark of a permanent or intermittent stream (100 foot setback is proposed).

Michael Dean’s brother-in-law would be representing Mr. Dean this evening.

Supervisor Conover stated that the applicants are acquiring some adjacent property and they are seeking to put in a new septic and leach field. He stated that this would not be before the BOH unless Tom Nace has already reviewed and approved of the plan. He feels that he applicant has done a lot to achieve the 100’ setback.

Councilmember Rehm stated that she was given a section out of the Town’s waste water treatment ordinance and this falls under special standards that no leaching facility is to be within 200’ of water. She asked if the local regulation is stricter than the NYS regulation. Counsel Muller replied yes. She stated that if there was not any local regulation then the applicant would probably not require a variance. Counsel Muller stated that she was correct.

RESOLUTION #53

Councilmember Rehm moved, seconded by Councilman Maranville to close the Public Hearing for the Michael Dean application for parcel # 198.04-1-2, 455 East Schroon River Road. All in Favor. Motion Carried.

Supervisor Conover stated that before they take action they should cover their SEQR process. Counsel Muller agreed.

Councilmember Rehm stated that upon reviewing the SEQR form she finds that Section C only pertains to this project. Counsel Muller agreed and stated that they will need to review C1-7 for their review. Councilmember Rehm stated that she has found the answers to C1-7 would be no, that there are no impacts as a result of this action and recommends to the TB that they concur. Supervisor Conover and the Board stated that they did concur.

RESOLUTION #54

Councilmember Rehm moved, seconded by Councilman MacEwan that they have found through the SEQR process they have found no adverse impacts. All in Favor. Motion Carried.

Councilmember Rehm stated that the Town Engineer has approved of this plan. The applicants have done whatever possible to get at least 100' from the river including obtaining more land. Given the topography of the land this is the most viable solution and it is better than what existed before. She stated that this application has been published in the local papers which has allowed ample opportunity for the public to comment and respond. This is the least impact and there will not be any adverse environmental impacts. She stated that not approving this application would cause unnecessary hardship to the owners.

RESOLUTION #55

Councilmember Rehm moved, seconded by Councilman MacEwan to approve the septic variance for Michael Dean as requested, it will not have any adverse physical or environmental impacts. All in Favor. Motion Carried.

- Hilda Roden represented by Andy Roden, Out House, Trout Lake Island (asked to return after one year).

Supervisor Conover stated that the applicants were asked to return to review the project and to be sure that there were no issues. He stated that over the past year the Town has performed 2 inspections, one by Mitzi Nittmann, Code Enforcement Officer and Kathy Simmes, Supervisor at that time, and the other by Pam Kenyon, Zoning Administrator and Kathy Simmes. Councilmember Rehm asked if there were any comments or letters that were received. Andy Roden replied that no one has commented to him, Mark Bernstein or the Zoning Office. He stated that the inspections showed that there was no noticeable odor or any problems. Councilmember Rehm stated that she was pleased to hear the news. She does not feel that they need to return every year but she would like to continue the inspections once a year during the operational season. Andy Roden stated that Mark Bernstein has the NYS DOH inspect it once a year as well since it is part of the children's camp. Councilmember Rehm stated that inspection would be adequate and felt that they would only need to review this again if there were any complaints or issues.

RESOLUTION #56

Councilmember Rehm moved, seconded by Councilman Maranville to agree that the applicant does not need to return before the Board unless a specific issue is raised with the Planning Office. All in Favor. Motion Carried.

RESOLUTION #57

Councilmember Rehm moved, seconded by Councilman MacEwan to return to regular session. All in Favor. Motion Carried.

Public in Attendance:

- Matt Sprow, Environmental Education Administrator, Up Yonda Farm.

Matt Sprow announced some events coming to Up Yonda Farm. He stated that they have a new program this year for Bolton residents. Bolton tax payers and residents are eligible for member benefits which include admission to regular programs, at no charge and discounts for special program, which require material costs. He stated that there is no charge for parking. Their public programs are Saturdays at 1pm. Schedules for upcoming programs are available on their website. He stated that another member benefit is that they can use the picnic shelters for events as well as field trips for the school, Rec. Department and Senior Citizens.

Matt Sprow stated that Up Yonda has a lot to offer other than just their programs. He stated that they have over 72 acres with a variety of hiking trails and animal habitats. They also have a museum of natural history and a butterfly garden. He stated that forms are available at the Town Hall as well as on their website.

Mat Sprow thanked the TB for their support. He stated that so far they have already had 365 signed up in the past 6 weeks since the start of the program.

Mat Sprow provided more details about the Pancake Breakfast on March 7th. He stated that they can have up to 150 people and so far 90 people are signed up. He stated that reservations are required. He indicated that even if someone is not interested in eating breakfast there will be a lot of other activities and things associated with the Maple Festival. He stated that this is the first in a series of four events that they will be offering this year. They are planning a wildlife festival and water festival in the summer and in October they will be doing their haunted trail and barns again.

- Lenny Chiraboga, Thunderbird Motel

Lenny Chiraboga provided information to the TB. One item was from the LGPC from 1995, which indicated that the LGPC found that the existing wharf registration that was submitted in 1987 was apparently never issued by the DEC as was customary. He stated that the letter also states that the LGPC recognizes that the wharf has been there since 1981. Lenny Chiraboga stated that attached to that letter he has an application from the Thunderbird dated 1995 when the marina permit was requested and a map dated 1987 that shows the configuration of the dock. He stated that these documents are to answer some allegations that were made that the dock was torn down and rebuilt. The dimensions are on the map from 1987 which are the same dimensions from a few years ago which was re-measured by the LGPC for tax purposes.

Lenny Chiraboga stated that he was presenting this to the Town to remind them that the dock has been there for well over 30 years. The present situation at the Thunderbird is that there is plenty of room should the Town ever want to use the Town road access for a boat. However, if they notice, the lake bottom in this area is not very friendly for boats to launch. He stated that they have complied with everything that the LGPC has asked in terms of not using the southernmost dock. The Office of General Services has decided not to become involved in this. He stated that this dispute has already cost the Town and his family a lot of money associated with legal fees. He stated that they have never had any issues with the Town and vice versa. He stated that they have not had any issues with the LGPC either. Lenny Chiraboga stated that there is one person spearheading this attack. He asked if the Board would consider dismissing this effort to have the Thunderbird remove the dock.

- Zandy Gabriels

With regard to Councilmember Rehm's suggestion about the 1799 flag, Zandy Gabriels agreed that they should have it framed. He stated that it is unique and he feels that they should be taking care of their flags. He stated that if it is done right it would be a great honor to the Town of Bolton.

With regard to correspondence regarding an exception to the noise ordinance for a wedding reception at the Sagamore, Zandy Gabriels commented on behalf of his mother Jane Gabriels. He stated that she is the closest neighbor to the Sagamore. He stated that in their dealings with the Sagamore and their receptions and events, they have found that there are certain places on the property that are more disruptive of sleep. He stated that since there was no indication of where the reception was to be held his mother called the Sagamore to find out more information. However, the General Manager, as well as other staff members, were not aware about the exact location of the reception. They also were not aware of the permit application. Zandy Gabriels, on behalf of Jane Gabriels, asked that the TB not pass this until the TB can get more information about the requested permit.

With regard to Gaslight Village issues, Zandy Gabriels stated that the Town has the tax consequences of approximately 15% of the total County budget. He stated that the County has had a really difficult time determining what to do with the 2 building on the premises. Last Friday, the issue was raised at the WC Supervisors meeting and they were deciding on whether they should take them down or not. He stated that it was decided that these 2 buildings should be taken off the list for demolition under the grant. Zandy Gabriels stated that he was disappointed to see that Supervisor Conover voted in favor of keeping the 2 buildings. The County Engineer provided a report in which he cited other engineering reports indicating that the buildings were not worth saving due to the many problems structurally, electrically, etc. He stated that this made him think about looking at other local buildings and whether or not to preserve them or take them down, the latest being the Conservation Club. He stated that he remembers going through the angst of whether or not the building was worth saving or repairing or to just take it down. Bolton decided to take it down and do something right or that would make the Town proud.

Councilman Maranville suggested that Mr. Gabriels discuss this issue at the County meeting. Zandy Gabriels stated that he felt that it was appropriate to raise it at the local level because the Supervisor is spending taxpayer money representing the Town. He stated that many people in Lake George want a new building. He feels that the old structures are not good and are a liability for the County and Town. If something were to go wrong the Town picks up 15% of the tab, which is the second highest in the County.

Zandy Gabriels stated that most of the engineering reports look at it as an enclosed building. However, since these reports were completed, 3 sides have been taken down and it is a pavilion of some sort and no one has looked at the structural integrity since then. The engineering reports also state that the main portion of the Opera House is the arches. In the reports there are citations about the bottoms of the arches are rotting and the top of the arches are starting to delaminate.

Zandy Gabriels stated that he understands that some of the Supervisors fear that if they do not keep the building then they will never have another type of structure or money to build another structure like it. However, this is a liability to the County and Town. He stated that if the Supervisor does not trust the engineering reports he should check them out himself. He provided a screwdriver to the Supervisor so that he could check the delamination and make his own analysis. He stated that he hopes that he changes his mind.

Correspondence:

- Sarah Hoffman, President, Glens Falls Directors of Volunteers in Agencies proclaiming April 18-24, 2010 as National Volunteer Week.

- Adirondack Construction, Change #1, Asbestos Cleanup at Bolton Conservation Club Project.
- Cindy Farbaniec for The Bolton Free Library regarding occupancy tax funding for events this year.
- JGS Recycling and Hauling regarding Freon removal and pickup proposal.
- Susan M. Amato regarding exception from noise ordinance on June 19, 2010 for wedding reception at the Sagamore, from 10:00pm till 11:00pm.
- Patrick A. DiCerbo regarding water bill for property he owns at Mohican Heights not serviced by public water.
- Sean Finnegan, MassMutual Financial Group regarding financial services.
- Letter from Cheryl Rafferty regarding appointment to the Recreation Commission.
- Waters Edge Marine, Inc, Joan A. Waters, notification of intent to renew liquor license.
- Ted Caldwell on behalf of the Bixby Family regarding request for no dogs allowed signs and hours of operation signs on Bixby Road, elimination of parking on one side of Bixby Road and the stopping of sand dumping at the beach. Supervisor Conover stated that he would refer this issue to Town Counsel.
- Aaron B. Epling, regarding participation in the New York State Deferred Compensation Program.
- Bryon Brandow regarding naming private road serving the project Trout Lake West Shores as Ted's Way.
- Sagamore Pub and Pizza, LLC notification of intent to renew liquor license.
- Letter from Lori LaGoy, Bolton Webmaster, requesting to continue her web services.
- Email from Zandy Gabriels regarding broadband grant deadline of March 15th.
- Time Warner, possible channel changes and program packaging

Committee Reports:

Councilman Robert MacEwan

Water Dept- 4,138,392 gallons of water filtered. Work has continued inside the water plant with painting and cleaning up old pipes. They had their initial distribution system evaluation standard which was completed by JH Consulting Group. The report was sent to the EPA and everything has come back satisfactory. Mr. Torebka took one week of vacation on the 17th.

Transfer Station- Receipts \$3,858 Lisa asked about the summer schedule, which they will need to discuss in the upcoming months. Last month they talked about the spring clean-up cards and making them only good for a year. He suggested offering a different color card every year. Deanne Rehm asked how they have distributed the cards in the past. Pat Steele stated that the first year they mailed the cards and in the years since they have had them available at the Town Hall to be picked up. Councilmember Rehm asked if they would put out a public announcement letting people know that the existing cards will expire and new cards will be issued. Councilman

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MacEwan suggested that they issue a new card every year. Supervisor Conover suggested that they put the expiration date on the card. There was discussion regarding the fact that a lot of residents already have cards that are still good. Councilmember Rehm suggested posting a public notice with the expiration date of the old cards and announcing the availability of the new cards.

RESOLUTION #58

Councilman MacEwan moved, seconded by Councilmember Rehm to issue new spring clean-up cards good for one calendar year limitation. The new cards will be issued starting April 15, 2010 that expire May 31, 2011, and that existing spring clean-up cards will be good until June 30, 2010. All in Favor. Motion Carried.

Councilman MacEwan stated that they are having issues with tires being brought to the transfer station on rims. He stated that he does not believe that there is any posting that states that they accept both tires and rims, but not together. He suggested that they have some sort of posting. Supervisor Conover stated that when they print the cards, there is a notation about tires; he suggested that they should state that clearly on the card. He also suggested posting this on the website as well as at the transfer station.

With regard to the proposal for metal, Lisa feels that they should move forward with this.

With regard to brush, Lisa feels that they should have some sort of price structure. Councilman MacEwan stated that they went to many different transfer stations and some accept brush while others do not. He stated that basically they found that pick-up trucks would be charged \$15 and \$75 for a 1 ton or tandem. Councilmember Rehm asked if they have limitations on the maximum size that they accept for brush. Councilman MacEwan replied yes, they only take up to 3 inches. He stated that they currently have a pile of brush and a pile of ash. He asked if they can dispose of the ash on the property. Councilmember Rehm asked what they have done with it in the past. Councilman MacEwan replied that he was not sure. He stated that he would find out more information. Councilmember Rehm asked if he could provide a price structure by the April meeting. Supervisor Conover stated that he liked the progress they were making and suggested meeting with Councilman MacEwan and Lisa at the Transfer Station to discuss the issue further. He stated that they will have something for the next meeting.

Councilman Greg Smith (read by Councilman MacEwan)

Sewer Dept- Took in 3,198,890 gallons of waste water with an average of 114,000/day. Monthly samples were done and there were no violations. Hauled 6,500 gallons of liquid sludge. Did start up on new pumps at the north station, still using the temporary pumps until National Grid checks the out power lines. Fixed broken diffuser on the trickling filter. Put a new battery on the sewer jet. Painted the sand filter floor. Everything ran fine during the

power failure. All generators have been refueled for the spring. They received spare parts for the north station. Both trucks have been inspected. Chet would like to order parts for recurk pump.

Councilman Owen Maranville

Police Department- 2,575 miles patrolled and used 210.4 gallons of fuel. There were a huge number of property checks, which the TB asked the Police to do. Patrols of our residential areas have been increased as shown by the 352 property checks performed. This number does not reflect all their residential patrol activity as it only includes the properties in which owners have requested the police to check on. The numbers do not include general area checks of our neighborhoods, parks and other Town buildings and facilities, public utilities and local businesses. The Police Dept. responded twice as the primary agency with 2 incidences in which subjects who fell through the ice on Lake George. Neither subject received serious injury and the DEC were brought in to supervisor the removal of the vehicles from the lake. There is a detailed report of all the calls that were answered that is available for review.

Assessor- Maintenance of the computer file with regard to new owners and address changes is up to date. Sale value continues to be low in comparison with past years. To date the 2009-10 year they have only had 24 arms length sales, which is slightly behind the pace of last year. He anticipates an assessment level of 65% for the 2010 assessment roll, which will result in an estimated 11.5% reduction in estimated market value of properties as compared with last year. He has been busy with new exemptions and exemption renewals. Due to the March 1st deadline, Deb MacEwan called all of the low income seniors that had not returned their renewal applications. During the last days of February he has been busy with that process. For the whole month of February, he was out in the field collecting data for building permits and he completed all of his inspections. On February 23rd he attended the WC Assessors Association meeting in Lake George. The Association got out a news release to the public regarding the exemption deadline of March 1st.

Justice -Hon. Harry Demarest-\$6,570, Hon. Edward Stewart \$10,685, Total monies forwarded \$17,255. Itemized lists are located in the Court.

Councilmember Deanne Rehm

Library- The Pot-luck Dinner at the parish house was a success. The food was great and the local restaurants contributed and most people brought a dish to share. The Library will be moving ahead with several more of formal fundraisers since their funding has been cut from other sources.

Councilmember Rehm asked what the status of the new website was. Supervisor Conover stated that they are still working with the consulting group. Councilmember Rehm stated that

she was going to direct individuals looking for programs and activities by the Recreation Commission and Seniors to the website.

Recreation Commission- The calendar of events for March is available. She stated that the ski program ended very successfully. March 23rd is the day for summer camp registration. Cheryl Rafferty was unanimously endorsed by the Committee and hopes that her appointment to the Committee will be formalized. They are looking forward to a great summer. The summer program is very popular and they are going to do everything they can at the Committee level to enable some of the local youth to attend the session. She stated that the camp is \$180 for the entire session which ends up being \$1/hour.

Supervisors Report:

Receipts: \$795,708.29

Disbursements: \$374,252.24

Old Business:

- VanWart/Baer Sewer service extension
- Woodshire Estates
- Lower Brereton Road
- Lake George Camping
- Collection System Upgrade - Slip Lining Project

Supervisor Conover stated that through County and an EPA grant, the County Public Works Committee moved their slip lining project off to the EPA for their approval. So this project is moving forward.

New Business:

- SEQR Assessment and Determination and Resolution adopting Local Law No. 1 of 2010 regarding Amendment to Chapter 200 Town of Bolton Zoning Ordinance:
 - Section 200-8 Amendment to definition of Ski Center,
 - Section 200-14 Addition of Ski Center and Lodges to permitted uses in RR5/10 Rural Residential SCHEDULE OF USE REGULATIONS, Type I-Uses permitted by Special Use Permit.

RESOLUTION #59

Councilmember Rehm moved, seconded by Councilman Maranville to table the SEQR Assessment and Determination for Local Law No. 1 of 2010 regarding Amendment to Chapter 200 Town of Bolton Zoning Ordinance . All in Favor. Motion Carried.

- SEQR Assessment and Determination and Resolution to amend water regulations (Ordinance #39) regarding procedure for correcting and paying for issues associated with private water lines.

Supervisor Conover performed the SEQR Assessment and Determination Section C1-7 and found that there were no negative impact.

RESOLUTION #60

Councilmember Rehm, seconded by Councilman MacEwan that the SEQR Assessment and Determination was done for the amendment of Ordinance #39 regarding procedure for correcting and paying for issues associated with private water lines and found no negative physical or environmental impact. All in Favor. Motion Carried.

RESOLUTION #61

Councilman Maranville moved, seconded by Councilmember Rehm to approve the amendment to water regulations Ordinance #39 regarding procedure for correcting and paying for issues associated with private water lines. All in Favor. Motion Carried.

- SEQR Assessment and Determination and Resolution to amend sewer regulations (ordinance 5&18 Rules and Regulations of the Bolton Sewer District #1) regarding procedure for correcting and paying for issues associated with private sewer lines.

Supervisor Conover stated that the SEQR Assessment and Determination was completed and was found to have no negative impact.

RESOLUTION #62

Councilman MacEwan moved, seconded by Councilman Maranville that the SEQR Assessment and Determination was done for the amendment of sewer regulations Ordinance #5 and 18 Rules and Regulations of the Bolton Sewer District #1 regarding procedure for correcting and paying for issues associated with private sewer lines and found no negative impacts. All in Favor. Motion Carried.

RESOLUTION #63

Councilman Maranville moved, seconded by Councilman MacEwan to approve the amendment of sewer regulations Ordinance #5 and 18 Rules and Regulations of the Bolton Sewer District #1 regarding procedure for correcting and paying for issues associated with private sewer lines and found no negative impacts. All in Favor. Motion Carried.

- Resolution Authorizing April 18-24, 2010 as National Volunteer Week in the Town of Bolton.

Councilmember Rehm stated that she is happy to recognize the wonderful contingency of volunteers that the Town of Bolton has. Supervisor Conover agreed.

RESOLUTION #64

Councilmember Rehm moved, seconded by Councilman Maranville to authorize April 18-24, 2010 as National Volunteer Week in the Town of Bolton. All in Favor. Motion Carried.

- Resolution amending Green Island PUD to allow L shaped swim dock to be enlarged to T shaped swim dock, Lorence and Linda Queen, Green Island LG, LLC, 35 North Island Drive(LGPC, APA approvals obtained, Town Planning Board and Zoning Board Recommendations obtained).

Chris Gabriels stated that this is a private residence and the request is to make a small alteration to a pre-existing PUD modification that was granted by the Town and APA 2 years ago.

RESOLUTION #65

Councilman Maranville moved, seconded by Councilman MacEwan to approve the amendment to the Green Island PUD, to allow for the swim dock to be enlarged a T-shaped dock for property located at 35 North Island Drive. All in Favor. Motion Carried.

- Resolution authorizing Supervisor to execute contract Change #1 with Adirondack Construction for Asbestos cleanup at the Conservation Club in the amount of \$13,094.

Councilman Maranville asked what this would bring the new total to. Sue Wilson stated that the original cost was a total of \$432,500. Councilman Maranville stated that there is no question that it needs to be removed. Supervisor Conover stated that it would need to be removed regardless of what they decided to do with the building. Councilman MacEwan asked if they should anticipate more contract changes. Supervisor Conover stated that he hoped not but he cannot make any guarantees.

RESOLUTION #66

Councilmember Rehm moved, seconded by Councilman MacEwan to authorize the Supervisor to execute contract change #1 with Adirondack Construction for Asbestos cleanup at the Conservation Club in the amount of \$13,094. All in Favor. Motion Carried.

- Authorize Supervisor to contract with JGS for Freon removal at the transfer station.

Supervisor Conover stated that this is not a term agreement, this is relative to JGS fixing their prices for Freon removal. He stated that if they find a better price in the future they can move on. He stated that this is one of the many changes that they plan to have at the Transfer Station and it is moving the Town in a good direction.

RESOLUTION #67

Councilmember Rehm moved, seconded by Councilman MacEwan to authorize the Supervisor to engage JGS for Freon removal at the Transfer Station. All in Favor. Motion Carried.

- Resolution granting variance to noise ordinance on June 19, 2010, from 10:00pm till 11:00pm for Susan M. Amato for her daughter's wedding reception at the Sagamore Hotel.

RESOLUTION #68

Councilman Rehm moved, seconded by Councilman MacEwan to table the noise ordinance variance request for Susan M. Amato for June 19,2010 until the Sagamore submits the proper application. All in Favor. Motion Carried.

- Resolution appointing Cheryl Rafferty to the Bolton Recreation Commission (term to Expire 12/31/2010).

RESOLUTION #69

Councilmember Rehm moved, seconded by Councilman MacEwan to appoint Cheryl Rafferty to the Bolton Recreation Commission with a term to expire 12/31/10. All in Favor. Motion Carried.

- Resolution appointing Kathy Conerty to fill a vacancy on the Community Development Program Advisory Committee, (term to expire 12/31/2012).

RESOLUTION #70

Councilman Maranville moved, seconded by Councilman MacEwan to appoint Kathy Conerty to fill a vacancy on the Community Development Program Advisory Committee, with the term to expire 12/31/2012. All in Favor. Motion Carried.

- Resolution naming private road serving Trout Lake West Shores Subdivision as Ted's Way.

Supervisor Conover stated that Mr. Brandow requested this for his father. His father Ted was the original developer of this property and submitted the request to the Town Planning Office.

Councilmember Rehm stated that the County will probably want them to identify the roads by a length and starting point. Supervisor Conover stated that it is his understanding that in the past, naming of private roads did not come before the TB. He stated that he is bringing it to the Board because he feels that all road names should be handled by the TB. The Board agreed.

RESOLUTION #71

Councilman Rehm moved, seconded by Councilman MacEwan to authorize the naming of private road servicing Trout Lake West Shores Subdivision as "Ted's Way". All in Favor. Motion Carried.

- Authorize Supervisor to sign a 3 year fixed price contract with UniFirst for uniforms, towel and special supplies, and mats for the Parks and Recreation and Sewer Departments.

Supervisor Conover stated that they have an existing contract with Coyne and this company has provided them with a better price. These departments currently do not have contracts. Councilman Maranville asked if there are any variables. Supervisor Conover suggested that they only authorize him for up to 3 years.

Councilmember Rehm asked for some clarification on what was included. Supervisor Conover stated that there was a long list of items that he did not feel necessary to list. However, he wanted to get fixed prices on them in case they might be interested in utilizing the service.

RESOLUTION #72

Councilman Maranville moved, seconded by MacEwan to authorize the Supervisor to sign a fixed price contract, up to three years, with UniFirst for uniforms, towel and special supplies, and mats for the Parks and Recreation and Sewer Departments. Councilmember Rehm opposed. All others in Favor. Motion Carried.

- Resolution authorizing Supervisor to sign parking agreement with the Church of the Blessed Sacrament.

Councilman MacEwan asked if they will be providing snow removal just for the one lot. Supervisor Conover stated that they will only be clearing the lot that they will be using. He stated that they will clarify that in the contract. Supervisor Conover stated that he feels that this will help the Town residents and visitors tremendously. Councilmember Rehm stated that she feels that this could be the start of even better things to come. She feels that if they can show the church that they can do a good job with this they may be able to expand their relationship. Supervisor Conover agreed.

RESOLUTION #73

Councilman Maranville moved, seconded by Councilmember Rehm authorize Supervisor to sign parking agreement with the Church of the Blessed Sacrament. All in Favor. Motion Carried.

Public in Attendance

Transfers:

Councilmember Rehm asked what the Highway Dept needed that wasn't budgeted. Donna Boggs stated that she was not sure but would get back to her about it. Supervisor Conover stated that it is for the hoist to be placed in position at the garage. He stated that they are in the process of evaluating the beam and putting the hoist into operation.

RESOLUTION #74

Councilmember Rehm moved, seconded by Councilman MacEwan to approve the following transfers:

- \$1652: From Highway Garage, Contractual 51324 to Highway Garage Equipment 51322
- \$10,000 From General Fund To Sewer District

All in Favor. Motion Carried.

Pay Bills:

Councilmember Rehm stated that at the end of most meetings a general statement to pay the bills is made. Each liaison has looked at the bills for their department that they represent and the Supervisor has looked at all of them. However, she likes seeing the amounts that each department is going to be spending each month and what vouchers are associated with that. She stated that it makes it more formal and the NYS Comptroller's Office is encouraging people to at least itemize to this degree. She stated that she appreciates the effort that was put into this.

RESOLUTION #75

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

February 2010 Mid-Abstract

<u>Fund</u>	<u>Voucher #</u>	<u>Amount</u>
General	169, 204-222	\$6,530.63
Water	49-50	1,769.44
Sewer	52-55	6,448.88

Bolton Town Board

March 2, 2010

Highway	77	16.54
Street Lighting	Vouchers on General Fund	<u>245.42</u>
Total		\$15,010.91

March 2010 Abstract

<u>Fund</u>	<u>Voucher #</u>	<u>Amount</u>
General	153-203, 223-272, 275	\$72,709.62
Highway	59-89	16,854.70
Water	32-48, 51-63	9,176.63
Sewer	38-51/56-62	8,184.90
Tourism	4-6	22,835.70
Rogers Park Dock	1	1,905.09
Rogers Park Trust	2	9,692.00
Lighting	273	<u>5,589.44</u>
Total		\$146,948.08

All in Favor. Motion Carried.

Councilmember Rehm stated that when the ZBA is reviewing a variance request the property owner is supposed to post signs on the property so that it can be viewed by the Boards and public. She asked if they should be posting septic variance properties as well. Counsel Muller stated that it would make sense to post the properties.

Executive Session:

RESOLUTION #75A

Councilman Maranville moved, seconded by Councilmember Rehm to enter in Executive Session 8:54pm with no further business to be conducted.

Adjourn

Respectfully Submitted by:
Patricia Steele
Town Clerk

Respectfully Submitted by:
Kristen MacEwan
Recording Secretary