

REGULAR MEETING
BOLTON TOWN BOARD

Meeting Call to Order: 6:30 pm.

March 4, 2014

Pledge: Robert MacEwan

Regular Meeting:

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

Minutes:

- Approve minutes of February 4, 2014 Regular Town Board Meeting.

RESOLUTION #49

Councilman MacEwan moved, seconded by Councilmember Bolton to approve the minutes of February 4, 2014 Regular Town Board Meeting. All in Favor. Motion Carried.

Public Hearing: none

- Resolution regarding Environmental Impact Assessment LWRP for Town of Bolton - tabled.
- Resolution regarding LWRP - tabled.

Public in Attendance:

Eric Carlson President of the NYS Forest Products Association brought brochures for Board members to review and stated the following:

- He has looked at the rules and regulations for timber harvesting in the Town of Bolton.
- In the last several years they have worked with the A.P.A. to try to find some solutions to changes to timber harvesting for more sustainable forest management.
- They are trying to look at how the ordinances in the Town are organized.
- They train local loggers how to effectively log and sustain forests.
- In 2008 the State of New York has adopted a law that everybody harvesting a tree on state forest land must be certified under the New York Logger training program.
- He hopes the Town will see how they can incorporate the use of the third party certified programs and certified loggers that comply with the laws.

Walter E. Chandler from the Town of Greenfield Center stated the following:

- He is looking at property on Coolidge Hill
- He is uncertain how the Town's forestry law is written
- He is asking for clarification on how the law is written for the basil area.
- His main reason to come to the meeting was the Town Board ultimately had the decision of adopting a forestry plan so there would not be any trouble.

Supervisor Conover stated that the Town would be happy to meet and discuss their plans and he recommends that they set up a meeting with the Planning Office, Town Assessor and Town Counsel. He also recommended contacting the Department of Soil & Water.

Code Enforcement Proceeding: Mr. and Mrs. Derek Winnie: Letter of Violations and Appearance.

No one was available to represent Mr. and Mrs. Winnie.

Mitzi Nittmann Code Enforcement officer detailed the situation on parcel # 156.20-1-52 at 106 Rock Cove Rd.

- There are unapproved and inconsistent construction activities on this parcel as far back as 2008.
- The structure was expanded beyond the approvals.
- The Winnie's have not responded to any requests to comply.
- First letter sent on April 29, 2009.
- A building permit was issued in February 2009
- In 2008 inquiry from neighbors on retaining wall and patio area encroaching on their property.
- There was an approval for deck with a screened in porch and upper deck.
- The upper deck now has a full wood roofed structure that was not approved.
- Approved for small deck and now has one large stone patio
- They have also constructed another patio with fire pit that was not permitted.
- Letters have been sent at least 5 times certified and have received no response.
- Code Enforcement sent letters 7 different ways to have them appear at tonight's meeting.
- Atty. Muller stated it went out certified Fed Ex overnight.
- Warren County issued permit in February 2009 and renewed in 2011.
- May 2011 the Town of Bolton and Warren County had issued a stop work order and rescinded all permits.

Supervisor Conover asked if this was done simultaneously or in two parts. Ms. Nittmann stated she believes it was done all in one. Supervisor Conover inquired if there would be other required approvals. Ms. Nittmann replied that the rear patio has no approvals and it would need ZBA approval as it is over 100 sq. ft., it is an average of 258.3 sq. ft.

- There are 4 suspected violations at this time.
- Ms. Nittmann would need to take more measurements to see if they are encroaching on the Hess property.

Town Counsel, Mike Muller stated that this procedure is what we call alternative remedy for the land owner to encourage them come into some voluntary compliance. In this instance the Town has taken every administrative step to get the Winnie's to comply. He stated that Bolton has the option to do nothing or to take them to court requesting the Judge bring them into compliance.

RESOLUTION #50

Councilman Maranville moved, seconded by Councilmember Bolton to have Town Counsel, Michael Muller represent the Town of Bolton against the Winnie's and to pursue this issue in court based on the information presented at this meeting. All in Favor. Motion Carried.

Correspondence:

- Joseph Kelly requesting waiver of sewer gallon charge resulting from broken water line.
- Edward M. Bartholomew, Jr., CEO Adirondack Gateway Council request of Supervisor to participate in survey.
- Sarah Hoffman, LGLC request to use roadside /lawn space near Water Plant on Edgecomb Pond Road for parking during LGLC Hike-A-Thon on Saturday, July 5, 2014 from 8:00 am to 2:30pm.
- Wayne LaMothe regarding parking congestion on Valley Woods Road as the parking area is not cleared in the winter serving Cat and Thomas Mountains.

Supervisor Conover explained parking is a concern and DEC does not plow this area in the winter. Claire Kingsley stated it is a dangerous corner year round and there is definitely not enough parking. Councilman Maranville asked who owned the parking lot. Highway Superintendent William Sherman stated LGA paid him to plow this a few years ago. Supervisor Conover stated if they had to move toward signage, this Board would indicate to the County what those signs should say. Councilmember Bolton stated that it was indeed a very congested area.

- Bill Dow donation of 1954 Dick Dean photo of the Ticonderoga approaching the Bolton Pier.

Supervisor Conover stated Penny Cleavland was kind enough to frame this for the Town and it would be hung in the Town Clerk's office and he would like to thank Mr. Dow for this gift.

- Marc S. Migliore, Regional Permit Administrator copy of NYDEC Notice of permit for mine #50827, DEC #5-5220-00213/00001.
- Michael A. Dauphinais, Jr. NYSDEC regarding Comprehensive Evaluation Inspection of the Town Wastewater Treatment Plant: "Overall, Bolton's WWTP appeared to be well operated and maintained and was producing a visually good quality effluent at the time of inspection."

Supervisor Conover stated the Town had received a satisfactory rating which is the highest rating and this is a credit to Chet Dagles.

- Charlanne McDonough, LGC ABC Officer, notice of intent to renew liquor license.
- Ruth Lamb request for Bolton support for Tri-County Transition Initiative Citizens Composting Support Group.
- John Kelly, KH Ventures, LLC, Stone Manor Tavern on The Lake, intent to apply for a liquor license.
- David C. Forshay notice of small claims suit regarding incident at transfer station on November 21, 2013 which caused damage to his vehicle.
- Tod M. Beadnell P.E. regarding request for paving services by Warren County for 2014.
- David J. Whalen, Director of Franchising regarding changes or modifications to Time Warner Cable services.
- Mr. Harold Gaddy letter to Supervisor commending Town Highway for fixing mailbox which was damaged during storm.
- Kaprice Brewer, Time Warner Cable regarding current franchise fee due Bolton.

- Tammie DeLorenzo request for modification of water bill on behalf of mother in law.
- Anthony J. Dolan CPA approval of request to extend filing of annual financial report to May 1, 2014.
- Michael Consuelo, Executive Director Lake George Regional Chamber regarding promotion opportunity for Towns at LG Regional Chamber Information Center between exits 17 and 18 at a cost of \$1,000.
- Travel request for Town Clerk and Deputy Town Clerk to attend the NYS Town Clerk's Association Conference in Saratoga Springs on Monday, April 28th and Tuesday April 29th at a total cost of \$315 plus reimbursable.
- W. Alan Kresge, Program Manager Valuation Services Bureau Notice of Tentative Special Franchise Full Value Assessment.
- Nicholas Sheldon, Duromec Technologies regarding LED retrofit kits for lighting.
- Bolton Class of 2017 request to build a small bottle drop at the transfer station, proceeds to help support Bolton Class activities.

Committee Reports:

Councilman Robert MacEwan

Transfer Station –Total receipts for the month is \$3,007.00. Spring clean up cards total \$2,295.00. The steps outside of the office need to be fixed. Council MacEwan stated he would go check this out and if in need he would contact the Parks Department to fix them.

Bolton EMS:

Medical Supply

Some IV fluids in short supply. Expensive EZ-IO needles (each \$100+) ordered to replace one used on a cardiac arrest and one pediatric needle replaced due to expiration. Two pediatric Epi-pens replaced due to expiration at a cost of \$360. Three glucagon vials replaced due to expiration at a cost of \$138.95 each due to expiration. Not replaceable at hospital.

Administration

Updated 2013 Billings:

Gross Charges Billed:	\$224,497.24
Net Charges after Insurance:	\$165,315.84
Payments thru January 31, 2014:	\$118,737.15
Outstanding 2013 Billings:	\$ 36,693.67

EMR report regarding billing activity for January, 2014:

Calls: 29 Total-14 Billable (1 non-transport cardiac arrest)	
Gross Charges Billed:	\$14,261.00
Net Charges after Insurance:	\$12,869.28
Payments Received this Month:	\$ 9,112.52

Payroll expenses for January, 2014 were \$23,285.19 (includes \$7,808.04 principally December).

Mountain Lakes Regional EMS Council ALS Operating Authority renewed.

Recreation:

Meeting February 27, 2014.

- Budget- Have Spent \$6,477.23 is PS and \$232.53 from Contractual expenses
- Attendance-January 104 February 66
- Gore: the program has ended successfully. A consideration for you next, may be to require a minimum number of riders in order to “order” a bus for transportation. Many of the participants are too young to attend without a parent, or ski with a parent and do not ride the bus. This requirement could prevent some children from participating altogether, if a parent is unable to drive them to the mountain at all. A later departure time is also a consideration.
- Summer Day Camp Registration night will be Tuesday March 18, from 3-6pm in the Recreation Center. Forms and information will be sent to school, past participants, the journal and web next week.
- Summer Calendar is coming together nicely.
- Advertising for summer positions will begin next week.

Councilman Owen Maranville

Police- 42 patrol shifts, 340 property checks and 394 recordable activities.

Highway – A few of the items they worked on were as follows:

- Plowed, sanded and salted roads for several snow and ice storms.
- Hauled sand to mix with the salt.
- Repair work on Ridin-Hy Road with the grader.
- Patched pot holes on streets and roads.
- Pushed back roads and intersections with loaders.
- Thawed culverts.
- Ditch work for overflow from rain
- Worked on, washed and cleaned trucks.
- Sanded Senior Citizens driveways
- Installed new electric sander on 2014 Ford 550 truck.

Councilmember Maranville stated that snow removal is a success and the Town looks great and he commends the Highway Department on a job well done.

Assessor:

During February the deed transfers and address changes were kept up to date on the computer files. Deeds from the County are now received via Email. The process has gotten better but a

checks and balance process needs to be worked out. With regard to sales, they have had 41 arm's length sales to report since the 1st of July; this is an increase in number from last year. Sales prices have however been stable and close to the current assessed values.

Dave attended the February meeting of the Warren County Assessors. With his field work nearly completed, he felt the process of receiving deeds which was in "limbo" needed his direct attention. The association is again considering changing the day of meetings.

During February, Dave completed his property inspections for the 2014 roll. Dave will now concentrate on value changes as a result of these inspections.

With regard to exemption renewals (Aged & Enhanced STAR) they were able to reach all of our Aged and almost all of the enhanced Star applicants and their renewals are now being processed. The State's re-registration of property owners with the basic Star has ended and a list of who to remove is being prepared. Dave believes they made some progress on the 93 who were outstanding at the end of December.

Justice Court- During the month of January, 2014, Judge Harry Demarest took in \$6,423.00 and Judge Edward Stewart took in \$4,459.00. Total monies forwarded to the Town of Bolton amounted to \$10,882.00. There are itemized lists located in the Court if anyone desires to look them over.

Councilmember Cheryl Bolton

Clerk's Office:

- They are still busy with taxes. As of Monday March 3rd, we had collected all but 434 parcels of the 3656 total parcels in our district.
- Training in New York answered many questions that Jodi had pertaining to tax.
- Jodi has added a frequently asked tax questions and answers section on the Town Website.
- In addition to tax they have also collected water and sewer rents billed in February.
- They have ordered and received the new spring clean-up cards. The new cards will be issued beginning April 1st.
- After consulting with Counsel, Jodi has returned auto-delivered law books saving the Town over \$1400.00.
- Penny and Jodi are looking forward to training in Saratoga Springs, as topics such as Vital Statistics and FOIL are available, which time would not allow me to attend in NYC.

Bookkeeper:

Councilmember Bolton stated that the cross training process for payroll and office procedures is moving ahead. She gave a special thanks to both Kate and Mariann, stating this was not an easy undertaking.

Parks Department:

- Changed front left spring in F-550.
- Changed all batteries in Emergency lights at the Heath Center.
- Replaced cutting edges on plows.
- Changed faucet at Town Hall.

- Snow removal at Norwal loading dock for Fire Dept. to access the lake.
- Used backhoe to clear snow from the drains throughout the Town.
- Put up snow fence at Veterans Park to keep vehicles off the lawn.
- Cleaned out frozen gutter drains on Town Hall roof.
- Constant ice removal from Town Hall sidewalk due to runoff.
- Helped Highway Department with snow removal on streets.
- New tires on GMC.
- Replaced a fuel pump in the Yukon.
- 2.5 miles of sidewalks cleared.

Councilmember Bolton stated she has received many phone calls thanking the Parks Department for their efforts to clean up from the business owners and local people.

Animal Control-

1 call on a dog at large.

Spent several hours to wrap up horse situation.

Sewer Plant – Chet’s final report stated that the plant took in 2,509,503 gallons of wastewater for an average of 89,625 gallons per day. Monthly samples are done and DMR’s were mailed with no violations. They did very well with the DEC annual inspection. They hauled 8,000 gallons of liquid sludge. They cleaned up the chemical pit and did snow and ice removal.

Supervisors Report:

- Receipts:\$65,851.75
- Disbursements: \$341,107.73
- Warren County Sales Tax: January, 2014 down .9% year over year.
- Magic Salt.

Supervisor Conover asked Highway Superintendent, William Sherman which salt seemed to work better at this time, to which he stated that this is a tough year to judge, but from what he has seen, the white salt works quicker but not as long as the Magic Salt. Supervisor Conover inquired if they would need to order any more salt. Highway Superintendent, William Sherman as far as he knows they were done ordering. Supervisor Conover stated that the Highway would like to order a 10 foot rake for the tractor that was purchased last year. Highway Superintendent, William Sherman believes this tractor could be utilized much more with the addition of the rake for all the dirt roads. Supervisor Conover stated that he thought this was a strong recommendation but it would require a transfer. Councilmember Bolton agreed that they need the tools to do this work and it would be a wise acquirement.

- Rogers Park Planning Committee.

Supervisor Conover stated this was a wonderful committee and the LA Group would assist in getting this project going.

- 2013 Audit Reports (Ron – Justice Court, Clerk’s Office, Tax Collection, Robert MacEwan - Supervisors Office).

Supervisor Conover thanked Robert MacEwan for his assistance in this endeavor.

- Water and Sewer billings for 1st Quarter 2014: Water - \$70,968, Sewer - \$56,804.

- Workshop with Historical Society building committee regarding museum expansion project and Visitor Center and Park Improvements.
- Retirement of Kathy Barrie as Civil Service Commissioner after 26 years of service.
- New BLDC internet site, all members of the BLDC have met training requirements of the Authorities Budget Office.
- Kudos to the Library Cabin Fever Party.

Supervisor Conover sent a big thank you to Emma Calautti and the Library Committee and also a big thanks to the Blue Moon Band. He stated the new sound panels seemed to work well and helped immensely with the acoustics.

New Business:

- Resolution accepting 2013 Financial Review of Records Report for Supervisor, Town Clerk, Tax Collector and Justice Court.

RESOLUTION#51

Councilman Maranville moved, seconded by Councilman MacEwan to accept 2013 Financial Review of Records Report for Supervisor, Town Clerk, Tax Collector and Justice Court. All in Favor. Motion Carried.

- Resolution regarding Sewer Plant Operator positions.

RESOLUTION#52

Councilmember Bolton moved, seconded by Councilman Maranville to provisionally appoint Thomas French as Lead Operator at a rate of \$21.50 per hour and Luke Dague, Operator 2 at \$15.80 per hour to a one year term, effective March 7, 2014 at the Waste Water Treatment Plant . All in Favor. Motion Carried.

- Resolution appointing Rogers Park Planning Committee.

Supervisor Conover stated this was a good start and Councilmember Bolton agreed.

RESOLUTION#53

Councilman MaEwan moved, seconded by Councilman Maranville to appoint a Rogers Park Planning Committee. All in Favor. Motion Carried.

- Resolution regarding request by Joseph Kelly to waive gallon usage relating to sewer charge resulting from broken water line.

RESOLUTION#54

Councilman Maranville moved, seconded by Councilmember Bolton to deny request by Joseph Kelly to waive gallon usage relating to sewer charge resulting from broken water line. All in Favor. Motion Carried.

- Keith Scott, the Algonquin Restaurant for sound amplification permits for Saturdays and Sundays from July 5 – September 7, 2014, low volume for deck customers.

RESOLUTION#55

Councilman Maranville moved, seconded by Councilman MaEwan to approve request by Keith Scott, the Algonquin Restaurant for sound amplification permits for Saturdays and Sundays from July 5 – September 7, 2014, low volume for deck customers. All in Favor. Motion Carried.

- Resolution approving use of property for parking along Edgecomb Pond Road for Hike-A-Thon on Saturday, July 5, 2014 and that the Town of Bolton be named as additional insured on event liability insurance policy.

RESOLUTION#56

Councilmember Bolton moved, seconded by Councilman MacEwan to approve use of property for parking along Edgecomb Pond Road for Hike-A-Thon on Saturday, July 5, 2014 and that the Town of Bolton be named as additional insured on event liability insurance policy. All in Favor. Motion Carried.

- Resolution regarding new language for health insurance coverage to read: “New employees are eligible to enroll in coverage as of the 1st of the month following a 60 day waiting period.”

Supervisor Conover stated this was recommended by our Insurance Brokers to clarify and lower the waiting period from 90 days to 60 days.

RESOLUTION#57

Councilmember Bolton moved, seconded by Councilman Maranville to change new language for health insurance coverage to read: “New full time employees are eligible to enroll in coverage as of the 1st of the month following a 60 day waiting period.” All in Favor. Motion Carried.

- Resolution of support for Tri-county Transition Initiative Citizens Support Group and authorizing the Supervisor to provide up to \$100 of support for the composting program.

Supervisor Conover stated that a number of Town’s are participating in this program.

RESOLUTION#58

Councilman Maranville moved, seconded by Councilmember Bolton to support Tri-county Transition Initiative Citizens Support Group and authorizing the Supervisor to provide up to \$100 of support for the composting program. All in Favor. Motion Carried.

- Resolution authorizing Bolton Supervisor to enter into a professional service contract with Schoder River Associates regarding Potter Hill Road Culvert over Finkle Brook for Final Design and Construction Phase Services.

Supervisor Conover stated there were no changes from what Schoder River Associates had presented at the last Town Board meeting. Councilman Maranville stated he would like the Town to reach out to all the neighbors before construction was started. Councilmember Bolton stated she would like to contact the neighbors informing them of the guiderails that would be installed. Highway Superintendent, William Sherman stated he would be happy to do this.

RESOLUTION#59

Councilman Maranville moved, seconded by Councilman MaEwan authorizing Bolton Supervisor to enter into a professional service contract with Schoder River Associates regarding Potter Hill Road Culvert over Finkle Brook for Final Design and Construction Phase Services. All in Favor. Motion Carried.

- Resolution appointing Edward G. White as a Marriage Officer for the Town of Bolton pursuant to NYS Domestic Relations Law #11-C , for a two year term beginning 3/1/2014.

Supervisor Conover stated that Edward White had contacted him and informed him that he had been a marriage officer for the past three years and would like to be reinstated. Counsel Muller stated that a marriage officer officiates at the request of the couple and this as official as if a judge or minister had performed the ceremony. He also stated that it is great to have backup.

RESOLUTION#60

Councilman Maranville moved, seconded by Councilmember Bolton appointing Edward G. White as a Marriage Officer for the Town of Bolton pursuant to NYS Domestic Relations Law #11-C , for a two year term beginning 3/1/2014. All in Favor. Motion Carried.

- Resolution regarding water bill modification request by Tammie DeLorenzo.

Councilman Maranville stated that the Board has been clear and consistent on this issue, and they should not be making exceptions. Councilmember Bolton stated that as much as she feels for the family the Board had set a precedent with this issue and unfortunately they could not pick and choose who they could give relief to.

RESOLUTION#61

Councilman MaEwan moved, seconded by Councilman Maranville to deny water bill modification request by Tammie DeLorenzo. All in Favor. Motion Carried.

- Resolution approving travel request for the Town Clerk and Deputy Town Clerk to attend the NYS Town Clerk's Association Conference in Saratoga Springs on Monday, April 28th and Tuesday April 29th at a total cost of \$315 plus reimbursable.

Councilmember Bolton stated that the Board should be thankful that the Town Clerk and members of her office are willing to take on this additional and very valuable training. Town Clerk Jodi Connally stated she still has many questions and feels this makes her office much more competent.

Supervisor Conover stated that the Town training officers, Kate Persons and Mariann Roberts-Huck were doing an excellent job communicating with the various departments the very important training they needed to participate in, to make a better and safer work place. He also thanked Highway Superintendent, William Sherman for being pro-active in this endeavor. Kate Persons stated that she would like to thank William Sherman and Matt Coon for having all of their employees participate in these important classes. She stated that they were definitely a very pro-active department in this area and she appreciates it. Councilmember Bolton stated that she strongly recommends that all the departments start utilizing these programs.

RESOLUTION#62

Councilman Maranville moved, seconded by Councilmember Bolton approving travel request for the Town Clerk and Deputy Town Clerk to attend the NYS Town Clerk’s Association Conference in Saratoga Springs on Monday, April 28th and Tuesday April 29th at a total cost of \$315 plus reimbursable. All in Favor. Motion Carried.

- Resolution regarding Bolton Class of 2017 request to build a small bottle drop at the transfer station, proceeds to help support Bolton Class activities.

Councilman MacEwan asked what they meant by bottle drop. Supervisor Conover stated he believed it was a structure to house bottles until they were picked up by the class at a later date. Councilman MacEwan stated that generally the class advisor informs him as to when they would like to pick up the bottles that are generally stored in huge bags, and he is unsure of the need for a structure. Councilmember Bolton stated she was curious as to what the structure would look like and the frequency of the pickup. Supervisor Conover stated he liked the concept but would like more details as he is not even sure a building is required. Supervisor Conover asked Councilman MacEwan to talk to the class advisor and report back to the Board, to which Councilman MacEwan replied he would.

RESOLUTION#63

Councilman MacEwan moved, seconded by Councilman Maranville to table Bolton Class of 2017 request to build a small bottle drop at the transfer station, proceeds to help support Bolton Class activities pending further information. All in Favor. Motion Carried.

Public in Attendance:

Zandy Gabriels stated the panels at the Conservation Park were very helpful. He presented a book authored by Mrs. Jane Gabriels to the Board with photos of the production of the wall hanging she created for sound control at the Conservation Park along with some of her memories from the past about residents in the Town of Bolton. Supervisor Conover thanked him and said he would circulate it.

Zandy Gabriels also expressed his thoughts on the new sewer positions, the length of compliance issues and the parking issues at Cat and Thomas Mt.

Mark Roden stated his concerns with the zoning issues pertaining to the F.R. Smith project on Edgecomb Pond Road and referenced a letter sent to the Zoning Office. Atty. Michael Muller stated that the Town Board should not react in any matter on this project as the Planning Board has sole jurisdiction on this project.

Transfers: none

Pay the Bills:

RESOLUTION #64

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

Mid Abstract 2A

	Voucher	Amount
General	183-196 198-200	\$10,527.02
Highway	70	17.35
Sewer	32-35	8,914.65
Water	33-34	2,287.06
Lights	182 & 197	544.86

Abstract 3

	Voucher	Amount
General	106-181 201-232 234	\$60,659.11
Highway	39-69 71-83	49,180.32
Sewer	16-31 36-40	4,914.79
Water	24-32 35-42	6,018.83
Tourism	1	10,000.00
Lights	233	6,487.98

Executive Session: None

RESOLUTION #65

Councilmember Bolton, seconded by Councilman MacEwan to adjourn. All in Favor. Motion Carried.

Adjourn: 8:09

Minutes respectfully submitted by:

Jodi Connally
Town Clerk

Katie Persons
Minute Taker