

BOLTON TOWN BOARD

Pledge: Councilmember Gregory Smith
Regular Meeting

May 3, 2011

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

Call To Order: 7:00pm

The Town Board observed a moment of silence in honor of Frances Herman.

Minutes: Approve minutes of Regular Meeting held April 5, 2011.

RESOLUTION #75

Councilmember Rehm moved, seconded by Councilman Smith to approve the minutes of the Regular Meeting held April 5, 2011 as written. All in Favor. Motion Carried.

Convene as Bolton Board of Health

RESOLUTION #76

Councilman Smith moved, seconded by Councilman MacEwan to convene as the Bolton Board of Health. All in Favor. Motion Carried.

Public Hearings:

- Public Hearing on septic variance application by Charles McNulty, Leslie Russell and Mary Sprague, parcel ID# 186.07-1-9, 4802 Lake Shore Drive.
 - North side property line: a 10' setback is required – 0' is proposed
 - West side property line: a 10' setback is required – 0' is proposed
 - Lake Side (south): a 100' setback is required – 55' is proposed
 - Vertical separation: 5' is required between the leach-field and seasonal high ground water – 2' is proposed.
1. Joseph A Milot, 4814 Lake Shore Drive, Bolton, letter expressing concerns and objecting to variance request and potential environmental and other impacts from the uses and suggesting restricting the number of day users on this property.

Dennis Dickinson representing the applicants, stated that last summer the applicants had

some problems with their existing 40 year old septic system. It was determined that it had failed and they spent the last half of the summer having a scavenger come to pump out the system periodically and working on plans to rehab the system. Dennis Dickinson stated that the plans involve Nace Engineering, NYS DOH and NYS DEC. In order to process this, the DOH has to start a legal action, which they did and the process went rather quickly from there.

Dennis Dickinson stated that they have done soil testing for the best placement of the system. There is a lot of bedrock on the property especially closer to the lake and on the outer edges of the property. The best location was away from the lake. He indicated the areas where the test pits were done. The existing system is undersized for the amount of rooms they have and he was surprised to see that it lasted as long as it had.

Dennis Dickinson stated that they decided to flip the location of the driveway so that they could move the septic as far away from the lake as possible. They will be using an elaborate system that has become more popular in recent years; he personally has done many of them. The system is designed and sold by PuraFlo. It uses moss which provides a surface area for biological activity and produces a very well treated effluent. This system does not have a lot of pumps in it, therefore there is no noise or odor that will be emitted. They will have 8 units to serve the 11 bedrooms in the 8 buildings. The units will be placed on a stone bed and the effluent is pumped into the top of them and by the time it comes out the bottom it is more than 90% treated.

Dennis Dickinson stated that the setbacks are to the stone beds, which are shown on the plan. The cluster in the middle of the plans are the units, so the effluent is going in further than the listed setbacks.

Dennis Dickinson stated that they will be using the existing concrete septic tank because it gives them almost twice the amount of septic tank capacity. They will convert what was used as a septic and pump station into just a septic tank. Additionally they will be replacing an old small concrete septic tank with a new concrete one. Those two tanks will discharge to a new pump station between the cottages.

Dennis Dickinson stated that the State agencies involved decided that Nace Engineering would act as lead review agent. They had approximately 6 plans submitted before they received final approval from Tom Nace. Every submission went to all involved agencies as well as the Zoning Administrator. The plans presented tonight have received final approval from Tom Nace. Mike Shaw from the DOH has also signed off on the plans and is prepared to issue the necessary permits if they are to be approved tonight. The final design flow was less than 1,000 gallons; therefore the DEC permit was not necessary. Although they have been included throughout the project.

Councilman Smith asked for some clarification regarding the relocation of the driveway

and new septic system. Dennis Dickinson provided some further details. Councilman Smith stated that he has heard wonderful things about this type of system. Dennis Dickinson agreed. He stated that these types of systems have been around for a while. They have been approved by the NYS DOH as an approved standard. Councilman Smith stated that they provide a great solution especially in locations like this that are close to the water.

Councilmember Rehm asked if there will be alarms or safeguards built into the system for loss of power. Dennis Dickinson replied yes. He stated that they will be using duplex pumping system, two pumps that alternate on timers rather than fluid amounts. If one of the pumps fails, it will set off an alarm. It will also switch over to the use of just the one pump until it can be remedied. He stated that the pumps will be easily accessed. If they were to lose power it would switch off the main water supply. He stated that the potential for overflow would be eliminated.

Councilmember Rehm asked how the filters will be maintained. Dennis Dickinson replied that Puraflo systems have a large canister filter under the access port. This will have to be maintained on a somewhat regular basis. In the contract one of the requirements is to have a maintenance contract with Puraflo which will include full inspection of the system.

Supervisor Conover asked if they were confident with the elevations in regard to the gravity flow. Dennis Dickinson replied that they have not done anything to the existing water supply or sewage collection system since they have been there all along and they are working fine.

Chris Navitsky, Lake George Waterkeeper, stated that they have reviewed the project and have some comments and questions for the applicant. He stated that they recognize that the proposed system is an improvement over the existing failing system, which has impacted the lake and community. However, the Town must consider all potential impacts of the proposed project to the environment and community and determine that while still an improvement, it reduces negative impacts to the environment and community. Chris Navitsky stated that the system needs to provide the maximum treatment due to its proximity to the lake and to a major tourist attraction and national landmark.

Chris Navitsky suggested the following considerations:

- 1) The effectiveness of the proposed absorption bed will be compromised due to the location over the existing driveway. He is happy to hear that both the DEC and DOH have reviewed this. However, he is concerned because their regulations state that the absorption beds shall be located in areas that are protected from equipment and traffic to protect the soils from compaction which makes the soils unusable and negatively impact the disposal and treatment of the system. The portion of the bed is over existing

driveway which will affect the ability of the absorption bed to function properly. This will result in negative impacts especially with the limited depth to ground water. Additionally, it should be noted that percolation tests were not performed in the area of the driveway which would exhibit the most conservative perc rates due to compaction.

- 2) The variance for the depth to seasonal ground should be less. The application indicates that it 2 feet, but one of the test pits shows that there is only 1.3' of depth. This will further reduce the depth and area available for disposal and treatment of wastewater. The effluent dispersion in the absorption bed will be limited and not compliant to regulations.
- 3) They have questions and concerns with the regulations regarding the pump stations. He is happy to hear that they will have alarms and shut-off for the water. However, pump stations should also provide a minimum of one-day design storage above the alarm. The septic tank for the 4 bedrooms and 3 cabins should be designed for 1250 gallons to provide the maximum storage possible.
- 4) With regard to the conditions, they hope they will be implemented if the variance is granted, but is not sure how they will be verified.
- 5) They feel that they should also be looking at stormwater run-off since they are relocating a driveway along a property line.

Chris Navitsky stated that it is their opinion that the on-site wastewater system needs to provide the maximum treatment due to the proximity of the lake and adjoining properties. Based on the information of the proposed plan and site constraints and negative impacts to the lake, the variance should be denied and recommend the installation of holding tanks as a feasible alternative.

John Wright of Bartlett, Pontiff, Stewart and Rhodes, representing Twin Bay Village, stated that they have several concerns with the proximity of the driveway to the property line as well as the leach fields and the depth to ground water. There are 8 cabins that will be right next to the proposed leach field, which essentially have a 0' setback. John Wright stated that his client is concerned that these rental properties will be negatively impacted by this proposal. There are spaces between these cabins that are shaded grassy areas that are used for picnicking, storage of water skies, and children playing. Even though the stone bed is supposed to disperse this effluent they are concerned that it will not stay on the property line. He provided pictures to show the area as very soggy and muddy due to the high ground water. They are concerned that the effluent will not obey the property lines. Additionally there is concern with seepage and odor as well as health hazards that come along with that.

John Wright stated that the regulation requires a separation distance of 20' between absorption fields and dwellings. They submit that these cabins are dwellings used as residences by his client's guests during the summer. The applicant has not asked for any relief from that section of the code. There are 2 windows in the back of these cabins, so the guests will be looking out onto a septic system.

John Wright stated that his clients feel that approval of this project will negatively affect their business. If there are problems with this system, the brunt of the problems will fall on his client and not the applicant. He understands that the applicant has moved this system as far from the lake as possible, but in doing so they have placed it right next to his clients cabins. He hopes that the Board does not overlook the impact that this project could have on the guests and his client's business. John Wright stated that there are water lines that run along the back of these cabins which could also cause a health hazard if seepage were to occur.

John Wright stated that he feels that the system could be located in an alternative location between cabins 2 and 3. Although Dennis Dickinson has indicated that the soils are not suitable, it does not appear that any test pits were done in this location. This may be a good system but they feel it is in the wrong spot. It has a potential for a devastating negative impact on Twin Bay Village.

John Wright stated that at the very least he would like to see the applicant seek a variance from the 20' separation distance between the leach field and dwelling. The negative impacts to the surrounding area, to his client's property, simply outweigh any benefit to the applicant. They feel that the applicant can achieve their goals with a less onerous solution.

Bill Hubert, president of the Marcella Sembrich Memorial Association, stated that their property is located on the south side of this property. When the system failed last year, they noted several times water flowing over the driveway right into the lake. He stated that they object to this proposal for the following reasons: 1) They feel that the ground water separation is not sufficient enough. This will result in a more saturated condition on their property which already experiences high ground water and standing water at times. The relocation of the driveway will be on their common property line which will direct more storm water onto their property and into the lake. 2) This will also produce a change in the character of the Marcella Sembrich property, which is one of solitude, conducive to the enjoyment of the arts, especially classical music. What is now a treed and green space buffer will now be clear cut. 3) They feel that there is another alternative in having a holding tank. This would avoid the issue of increasing ground water discharge especially due to the lack of setback to either neighbor. This proposal is substantial due to the lack of setbacks. 4) The proposed variances will have an adverse impact on the physical and environmental conditions in the neighborhood, specifically from the ground and surface water. It is their opinion that discharge of wastewater disposal system in close proximity to their property with a decreased separation to ground water will increase saturation on their property, down gradient of the system. In addition the relocation of the driveway will direct stormwater on their property. They requested that the Board deny this application and recommend the installation of holding tanks.

With regard to Chris Navitsky's letter, Dennis Dickinson stated that the driveway location will not be of concern. They have very good soils in this area and will not have any issues with compaction. He stated that these systems are set in the ground to cover them but are mainly set level to the ground. As the elevation changes they do rise up slightly but they will be covered by fill. Their design was based upon the test pits done by Charles Maines, a local soil samplist, with 60 years of experience with the federal government.

Dennis Dickinson stated that these systems have been approved by the DOH, which is difficult to do because they are very conservative. They have been approved to be used as standard systems. He stated that the effluent that comes out of these systems simply seeps out of the system into the stone bed and from there gravity will take over. It will not run over to the neighbors unless the system failed. System failure with these systems is minimal because the water is so well treated.

Dennis Dickinson stated that they have a 2,000 gallon pump station which has more than enough capacity to handle any overflows. The design is based on the installation of water conservation fixtures. The applicants have converted some fixtures already, but they have agreed to change them all out. Dennis Dickinson stated that all of this was in their engineering report as well as their water usage, capacity and volume. The report also outlined of the proposed conditions. With regard to the comment about not having a laundry facility, Dennis Dickinson stated that the owners' parents had a laundry facility but the current owners no longer use this and receive a linen service to service the facility.

With regard to the relocation of the driveway, Dennis Dickinson stated that if they receive approval tonight he will be in the Zoning Office to start the project. Part of that will be to make sure that they comply with the Town's stormwater requirements.

With regard to setbacks to the cabins on the neighboring property, Dennis Dickinson stated that these cabins do not have foundations, they are set on piers. The 20' setback requirement for sewage disposal systems applies if 1) this was a sewer bed and they were putting septic effluent on it and treating it, instead of what they are proposing and 2) the setback requirement applies to homes with foundations that people could use or live within that foundation. Dennis Dickinson stated that they do not have that problem here because they are on piers. Additionally these cabins are very close together and he does not see how anyone would enjoy the space between them other than for storage.

With regard to the 20' setback, Councilmember Rehm, stated that she understands that there is an important point to be made with regard to the DOH clarifying that issue. The DOH states that if there is a basement present it is important but in these conditions when they are on piers it is a non-issue.

Dennis Dickinson stated that they do not have a water problem. They have done test pits and they have good soils. They are not worried about surface water or failure.

With regard to the Sembrich comments, when they move the driveway, they will only have to remove one of the trees which will be in their disposal area. Additionally they will be coming back over to the existing driveway once they pass the system area. The driveway will be moved over 15' and will go around the system for 60' before coming back to the existing driveway.

Dennis Dickinson stated that he has lived in this area his whole life. He is familiar with the Algonquin Restaurant who operates with a holding tank. He stated that anyone that has lived here for any length of time and has been by the Algonquin when they are having it pumped; it has a terrible odor. He stated that he cannot imagine either of these neighbors wanting that type of system or situation in the middle of the summer.

Dennis Dickinson stated that they have done the best system they can. This is an expensive and elaborate system. The applicants are concerned about the lake and pollution.

Supervisor Conover stated that they have to understand the neighbors' heightened concerns especially given the failure that occurred last year. He stated that typically you do not know there is a problem until it comes to the surface. However, he wonders what some of the issues may have been prior to that. Dennis Dickinson stated that most septic failures occur at a slow progression. They start seeping out, and then it starts to build from there. He stated that the applicants' septic failure was rather catastrophic. The leaching system was undersized and filled with sand over time. When the pump came on and it had no place to go and therefore it ran on the ground. When they had the failure happen they immediately shut the pump down and he feels that they caught it quickly before more significant damage could occur.

Councilmember Rehm asked if the Twin Bay Village guests will be affected visually by what they see when looking out the back windows of the cabins. Dennis Dickinson replied that they will see a slight elevation change or mounds with grass and the tops of the covers, but they are green.

Councilmember Rehm stated that she has to rely on the review and approval of Tom Nace and the State agencies since she is not an engineer. If they feel that this is a good system and all of the alarms are put in place then she feels that this is a vast improvement over what exists now.

Supervisor Conover asked how often will the septic system need to be pumped. Dennis Dickinson replied that the applicants already regularly pump their system every year and will continue to do the same. He stated that most septic tanks need to be pumped every

3-5 years.

Supervisor Conover asked Counsel Muller about adding conditions of approval to this application. Counsel Muller replied that in the past when they have given approval on a variance that requires future maintenance, they required the applicant as a condition of approval to create a covenant or declaration that specifies the conditions which gets recorded in the Warren County Clerk's office. This then applies to all future owners and allows the Town to take enforceable action.

Supervisor Conover asked what would happen if the system were to fail, would the approval be revoked. Counsel Muller replied that the approval would run with the land and that instead they would begin enforcement proceedings. Dennis Dickinson stated that the applicants would not have any problem with that. He asked that the Town provide them with what they would like for conditions and they could work with Tom Nace and put them in engineering language.

Supervisor Conover stated that the other issue they still need to address is the lack of a stormwater plan for the driveway. The applicants need to understand that this would be a condition of this approval. Dennis Dickinson stated that they are less than 1,000 sq. ft of disturbance. Additionally they are taking an existing impervious area and simply moving it someplace else. However, he understands that when he goes to Pam Kenyon this may be an issue and they will do whatever they need to do for approval. He stated that currently there is no stormwater for anyone's property in this area and they would be more than happy to include what they can.

Mike Hill of Miller, Mannix, Hafner and Schachner, representing the applicants stated that there has been mention of holding tanks as a feasible alternative. However, the DOH and DEC do not favor holding tank systems especially since it is not a long term solution. The proposed Puraflo system is going to provide the maximum treatment that Mr. Navitsky is seeking. Literature from Puraflo indicates that the effluent that comes out of the system is 99.9% free of harmful bacteria whereas the existing seepage pit that was previously used did not provide any treatment whatsoever. It will be a great improvement over the existing system.

With regard to saturation, Mike Hill stated that the old seepage pit presented a much greater concern than with this system because as Mr. Dickinson has presented it is a controlled release into the moss beds and much less subject to saturation.

When granting a variance, Mike Hill stated that they are doing a balancing test. Balancing the benefit to the applicant against any potential for detriment to the health, safety and welfare of the community. This system will be such an improvement and provide clean effluent. It will not only be a benefit to the applicant but also the lake and neighbors. They feel that it clearly meets the test as far as granting the variance.

Councilman MacEwan asked if this was the best placement for this system and best solution to the problem. Mike Hill replied yes with the topography and soil conditions there is ledge rock close to the lake. Dennis Dickinson stated that the DOH asked this same question. However, if you explore the area around cabin 3, there is limited soil. This is the only other acceptable area that is 100' from the lake, but again the soils were not good. The only other way to provide an alternate location would be to take one of the cottages out, which is not a feasible alternative for the applicants.

Councilmember Rehm asked why they didn't do a test pit in this area. Dennis Dickinson replied that it was obvious that the soils were not suitable. The only way to have suitable soils would be to provide fill which would then need retaining walls.

Leslie Russell stated that the alternative site would not only require fill and retaining wall, but it would also cost them 3 large trees that would need to be removed. Ultimately this is the best location for minimal disturbance.

John Wright stated that the windows in the back of the cabins are in the bedrooms and not just bathrooms. With regard to the cabins having no basement, the area under the cabins does have a crawl space where there are utilities underneath that will need to have access. With regard to Mike Hill's comments about the balancing test, he agrees that is what this Board needs to deal with. They need to ask whether or not the applicant can achieve its goals in a way that is less burdensome to the neighbors. Relocating the absorption field closer to the applicant's cabins would do that. It would also not require the relocation of the road which would be less disturbance. Absent a test pit showing that it cannot go there, he does not feel that the applicant can meet its burden and would like to see the variance denied. With the mounding of the system it will send more run-off onto his client's property.

Charles McNulty owner and applicant stated that the utilities at Twin Bay Village run from the top and there is nothing underneath except for the piping.

Dennis Dickinson stated that if they were to look at the plan they will see that as the contours drop down to the lake that the depth to ground water decreases. He stated that the small mound will drive the water away from this property line and put the water where it is supposed to go.

Supervisor Conover closed the public hearing. He stated that what is being proposed is a vast improvement over what currently exists on the property. There is no question that dry well or leach tanks are not a good thing.

- Resolution regarding SEQRA Determination for Variance application.

RESOLUTION #77

Councilman Smith moved, seconded by Councilmember Rehm to issue a negative

declaration for the McNulty project. All in Favor. Motion Carried.

- Resolution regarding variance application Charles McNulty, Leslie Russell and Mary Sprague, parcel ID# 186.07-1-9, 4802 Lake Shore Drive.

Supervisor Conover stated that if a Board member is interested in entertaining a motion they should consider some of the following items that were discussed prior: 1) an annual review and approval by Puraflo, 2) annual demonstration of the pumping of the tank and 3) the storm water is an issue that should be addressed as well. He recommends that they are added as covenants to the property. They should also be sure to make a finding that the benefit could not be achieved by any other means feasible and that it doesn't result in an undesirable change to the neighborhood, in fact it is an improvement over what is already there. The request will not have an adverse impact, but rather a positive impact. It is not a self-created situation, this is a replacement system on a property that has an existing configuration without a lot of land. It is a relatively small parcel that narrows as it moves westerly. He stated that as they move forward the public needs to understand that they have to deal with properties that are already configured in a certain way and have limitations in terms of where systems can be placed. He feels that they need to encourage these types of systems to protect the water quality of their lakes and streams. It is not always perfect but when they think about what is there, the public is better served with a system like this provided that it is routinely maintained.

RESOLUTION #78

Councilmember Rehm moved, seconded by Councilman Smith as presented with the following conditions: 1) Annual pump-out and inspection will be done by the company or other recognized firm and that report is filed with the Town. 2) Covenant will be signed and filed with the Warren County Clerk. 3) Low flow fixtures will be installed on the property. 4) No laundry will be washed or processed on site. 5) The Planning Office will be given every opportunity to verify all these things. 6) Stormwater regulations will be addressed with the Zoning Department. All in Favor. Motion Carried.

Reconvene as Bolton Town Board

RESOLUTION #79

Councilmember Rehm moved, seconded by Councilman Smith to reconvene as the Bolton Town Board. All in Favor. Motion Carried.

Public in Attendance:

- Kelley O'Neil Teer representing the Bolton Chamber regarding 2012 French and Indian War Encampment at Rogers Park.

Joe DiNapoli, President of Bolton Chamber of Commerce, stated that they are seeking permission from the Town for the Chamber to host an event in June of 2012. The Chamber is engaged in the business of bringing business to Bolton Landing for the benefit of the community. One of the sticking points for them is figuring out how to fill

the shoulder season of June and September.

Joe DiNapoli stated that Kelley O'Neill Teer approached the Chamber a couple of months ago with some new ideas. One was for the North Country Triathlon, and later in June they hope to see some benefit from that in Bolton. The other idea was to utilize Rogers Park for a re-enactment event. Joe DiNapoli stated that they presented this idea at their recent Chamber dinner meeting last month and it was met with a lot of support and enthusiasm. Kelley O'Neill Teer spent 23 years at Fort Ticonderoga, 20 of those as Director of Finance and the last 3 years as Executive Director. In her time there she ran many of these re-enactments on a significantly larger scale than what they are looking do in Bolton. The Chamber feels that this is a good direction to go in to bring history to their area.

Kelley O'Neill Teer stated that they started their encampment in 1991. The primary mission of these encampments is to promote the historical significance of Lake George and the impact on the American Revolution and the freedom that came as a result of that body of water. The time period that they would want to portray would be the French and Indian War. Montcalm gathered his troops in this area. She would rely on the local Historical Society to help gather all of the information.

Kelley O'Neill Teer stated that the target date is June 22-24, 2012 which is the same weekend as the Fort Ticonderoga enactment. She was contacted by a large group of re-enactors because of her familiarity with them. They were upset because they typically have 700-800 re-enactors, which is done by invitation only. This year the Ticonderoga event has uninvited about 600 people. Even though these individuals only called to vent it got her thinking that they could consider another possible location.

Kelley O'Neill Teer stated that the re-enactments are by invitation only. The participants take it very seriously and they spend a lot of money on their hobby. They will be entirely authentic from attire, tools, tents, utensils, etc. She stated that they also self police to make sure that their events come off without a hitch. If anything goes wrong it is a blemish for all of them.

Kelley O'Neill Teer feels that Bolton is the best venue to hold an encampment. If they were to agree she would suggest that they limit the event to just 100 re-enactors for the first year and then determine if it should grow from there. In addition to the re-enactors there would be sutlers, who are individuals that sell 18th century wares. She expects that it would bring in approximately 500 visitors. This is a conservative estimate because she feels that Bolton Landing will attract more visitors than another area would because they are centrally located, close to other attractions and areas and right off the Northway. Additionally people do not have to pay to attend which is different than most other venues.

Kelley O'Neill Teer stated that she would work with the Chamber to fundraise for the event. Based on her calculations, the expense would be about \$10,000, which would include portable toilets and a dumpster. They would have enough toilets to handle the capacity of the 500 visitors so that it would not negatively affect the Town. This would also include an additional pumping if necessary. With regard to trash disposal, all re-enactors will receive a garbage bag and at the end of the weekend they would bring it to the dumpster so again it would not affect the Town. She has priced out a shuttle service for approximately \$2,500. However this would be contingent upon finding alternative remote parking locations. Typically when re-enactors get to the event they unload at the site and then move their vehicles and will not use their vehicles again until Sunday. As this event grows the public may need to use this remote parking area as well. The trolley would run Friday from 4-9pm, Saturday from 11am-6pm and then Sunday from 11am-4pm. Volunteers would be needed for certain areas such as registration and to assist the participants in unloading and getting to their sites. The re-enactors need to be insured and have to have \$1,000,000 in coverage as a regiment to come to the site.

Kelley O'Neill Teer stated that the Chamber would be advertising the event and primarily be in charge of the event, but she has volunteered to assist with the organization of the event.

Supervisor Conover feels that this is a wonderful fit for Bolton. One of the concerns that he has heard would be the actual physical impact to the park especially with regard to fire. Kelley O'Neill Teer stated that the re-enactors accoutrements are very expensive so when it comes to fire they are very careful. They have fire plates to build their fires and water on hand. The fires are mostly to demonstrate 18th century cooking but a lot of them are not going to bother with a fire. She stated that most of them will be going out to dinner after their long hot day. They will also have policing done by the troop; each regimen will have an officer and they will not tolerate inappropriate behavior. She stated that if one individual gets into trouble it will affect the entire regiment and they know that the consequence will be that they will not be invited back. She stated that lights out is at 11pm. Although the public hours end at 6pm, she does encourage the residents to come back as it is getting dark because that is when the music begins.

Councilmember Rehm asked how many tents they would anticipate having at this event. Kelley O'Neill Teer replied between 40-50 tents. Councilmember Rehm stated that if they have 50 tents in the park they will be rather limited on the space left for a battle. Kelley O'Neill Teer agreed and stated that they would have to evaluate whether or not they would have a battle. Although it is nice to have a battle for the public it is not the only reason to have an encampment. She stated that they could also consider a smaller scale battle that would not include all participants. They can also consider having demonstrations throughout the town. Kelley O'Neill Teer stated that they will evaluate this after a year because it does take a lot of money and time to plan. Henry Caldwell representing the Historical Society finds that this is a great proposal and

fully support the idea and would like to help them out anyway they can.

It was stated that they should look into whether or not this will interfere with the Adirondack Distance Classic which culminates at Rogers Park on that same weekend. The race starts at 7:30 am and runs until 12pm or 1pm. Kelley O'Neill Teer replied that she would have to look into that. She stated that the reason they feel that this weekend would be successful is because the re-enactors are professionals and for many of them they will take a week's vacation. They will be coming from all over the US and Canada. The following weekend is the signature event that all re-enactors want to go to at Fort Niagara and that is why they could potentially get the big crowd if they can piggy back it the weekend before.

- Cobber Pratt, regarding a farmers market in Rogers Park. Cobber Pratt stated that he and Eva Bird would like to start a Farmers Market opposite the Chamber in Rogers Park. A lot of the neighboring towns seem to have a market that works well and brings people in and the community together. They would like to start at the end of June and run it until Labor Day. They have already spoken to the Chamber who have granted their approval of the proposal. They will look to run it during the week from 2pm-6pm, so not to conflict with the weekend or evening events in the park. However, they were not able to determine the day or time because in order to speak with vendors they had to have some sort of approval from the Town.

Supervisor Conover asked how they envision getting the product to the area given the limited parking and access area especially depending upon the type of vehicle that does the delivery. Cobber Pratt stated that there is an access through the back end of the Library, park by the basketball court or they could wheel their goods from the main street in. This is one of the issues they will need to address when they speak to the vendors. If this area is not conducive for this, they may have to find an alternative place like a Town parking lot. Supervisor Conover stated that he loves the idea but he is concerned with the possibility of taking up parking lot space especially during the busy dinner hours.

Eva Bird stated that they got the idea to bring the community closer together and to get people closer to the food. Right now people go Glens Falls or Warrensburg for Farmer's Markets, their hope is to bring this closer to home. She stated that they have a calendar of all the local markets and if they receive approval tonight they will start to speak with each of them about participating in their market in Bolton.

Councilmember Rehm suggested that they may want to consider mornings instead of afternoons since most visitors tend to shop in the morning to have their afternoons free. Additionally the afternoon provides for hotter temperatures which she does not imagine is conducive to sell at that time. Cobber Pratt stated that they have seen Farmers Markets at all different times of the day and that it would depend on the vendor and what works for them.

Supervisor Conover suggested that they may want to consider using Up Yonda Farm parking lot as well. He understands that it will be out of the walking traffic but most walking traffic is not interested in buying fruit and vegetables. This would allow for them to have more vendors and customers than they could in Town.

Supervisor Conover stated that he loves the idea but they really need to make sure that it is correctly housed. He stated that other than supporting the idea, they will have to reserve the overall approval for placement once they get more details. Councilmember Rehm asked if they can get more information to the TB by the June meeting. Cobber Pratt stated that they should be able to get all of that established by then. Eva Bird assured the TB that they will be responsible wherever it may be held. She stated that they have met with Warrensburg regarding the protocol and policies for such events.

- Mark Schachner

Mark Schachner representing a group of Trout Lake residents and neighbors stated that the Board has reviewed a proposed amendment number 31 and scheduled a public hearing for the June 7th meeting. He has submitted an alternative proposed modification to Ordinance #31. His goal this evening it to start the process rolling and ask that the Town adopt a resolution to schedule a public hearing on this proposed amendment as well at the June 7th meeting. This will provide a one stop shopping opportunity for those interested in regulation of motor boating on Trout Lake.

- Zandy Gabriels

Zandy Gabriels stated that he likes the idea of the Farmer's Market and the potential of having it at Up Yonda Farm, provided that they intercede about any cost associated with using that parking lot.

With regard to East Schroon River Road, Zandy Gabriels stated that he knows that a couple of years ago they raised that stretch of the road up by 3 feet. However, due to the flooding event, he feels that they should consider raising the road up another 3 feet to get it to the highest level. These are Bolton people and they deserve access all the way around. Even though they can get in through Brant Lake, it is a long trip. Although this is not in the budget they could at least start looking for some large boulders for the side embankments. Zandy Gabriels stated that Tim Coon was not adverse to this suggestion.

Zandy Gabriels agrees that they should be very proud of the broom machine that they got from the County. Since they have put an additional \$2,000 into the machine it looks like it is almost brand new. The Highway Dept. should be very proud of it and it should stand as an example of the quality and care that Bolton puts into the maintenance of their equipment. Supervisor Conover agreed and stated that this machine replaces an extremely old machine. They have done a tremendous job restoring and cleaning this machine.

Correspondence:

- Paul B. Dusek, Warren County Administrator regarding cooperative solicitation of bids for solid waste disposal.
- John Mucha, Director Government relations regarding delivery of service to Federal Hill, Wall Street and Pine Tree Lane and most recent cost estimates for additional extensions to Lamb Hill Road/E. Schroon River Road, Padanarum Road and Timlo Drive.
- Mark Behan, Chairman, Wakpominnee District Good Scout Dinner, Twin Rivers Council May 17, 2011 reception at Highland Park Country Club honoring David G. Kruczlnicki, President and Chief Executive Officer of Glens Falls Hospital.
- Kathleen S. Lindberg Bozony, Natural Resource Specialist / Lake George Waterkeeper regarding Lake George Cleanup Day requesting support from Bolton Highway Department to assist in hauling trash after the event to be held August 6, 2011.
- Chet Dagles, Waste Water Treatment Plant Superintendent regarding condition of sewer jet.
- Jeff Tennyson regarding OGS highway crack seal pricing.
- Amy L. Gitchell, Chief, Upstate New York Section US Army Corps of Engineers regarding permit application number NAN – 2011-00096, Asian Clam Removal Project.
- Niagara Mohawk a National Grid Company notice to terminate service at 969 E. Schroon River Road.
- Timothy Mulchy, Son of a Sailor LLC, 4933 Lake Shore Drive regarding intent to renew liquor license.
- John McDonald, Finance Coordination Manager, NYS EFC regarding NYS revolving fund and submittal requirements needed to complete application for short term financing.
- Brad Gill, Executive Director, Independent Oil and Gas Association of New York regarding hydraulic fracturing in New York State.
- Christie Sabo, Director Warren Hamilton Counties Office for the Aging regarding Maureen Mihalics receiving the Warren County 2011 Outstanding Contribution by a senior award.
- Richard Laberge, P.E., President, Laberge Group letter of introduction regarding program assistance.
- Brian Houseal, Executive Director, Adirondack Council notification regarding second annual inter-organizational meeting on June 13, 2011 at Paul Smith's College regarding issues relating to winter road salt.
- Lois E. Robinson, Director of Sales, Lake George Steamboat Company regarding wedding Party wanting to be picked up at the Bolton Town dock at 6:45pm, September 10, 2011.
- Time Warner Cable, John S. Mucha regarding new interactive technology to be offered by TWC known as switched digital video.

- Catherine Foy, Cate's Restaurant, 4952 Lake Shore Drive, notice of intent to renew liquor license.
- John Reilly, Northeast Electronics regarding disposal of electronics. This company will put a trailer up at the Transfer Station and where they can deposit TV's, monitors and regulated electronics. This will allow for them to properly dispose of electronics at no cost to the Town. They will also help with the new reporting requirements.
- Mark Schachner to Michael Muller and Supervisor Conover regarding repeal of ordinance 31 and adoption of 4 cylinder, 36 mph standard within 1500 feet of shoreline.
- Chamber of Commerce letter of support for the Farmer's Market

Committee Reports:

Councilman Robert MacEwan

Water Department- 5,286,000 gallons filtered through the plant. John reports that he has taken 2 weeks vacation. They have read all of the meters. They are in the process of flushing out the hydrants. Water samples have come back satisfactory.

Transfer Station- Total receipts- \$4,863. East Side has picked up the car batteries and tin cans. They were open on Easter and made \$46 for the day. They sent 30 yards of tires to the burn plant. Lisa has commented that she needs some repair work done on the building. Doug Wholey has cleaned up the brush pile.

Last month Councilman MacEwan supplied some information regarding suggestions for increased fees on bagged garbage and C & D which would help them bring in a little more revenue and keep them more up to date. With regard to the C & D, Supervisor Conover stated that he is in support of raising the cost. He recommended that they have a proposed fee structure to vote upon at the next meeting. Councilmember Rehm agreed that they need revenue and she feels that it would make sense to charge by weight. She is also interested in getting more information about what type of scale they would need. Councilman Smith agreed that this should be what they are aiming for especially since they are looking to rebuild up there. Supervisor Conover stated that he spoke to Horicon Supervisor Ralph Bentley who indicated that he would be happy to meet with them at any time. They can look into the scale as well as their permit system that they use.

Councilman Owen Maranville

Police Department- They patrolled 2,570 miles, and used 196.9 gallons of fuel. An itemized list of all the calls answered is available for review.

Highway Department- The first week of April they received one inch of snow and the rest of the week they worked on Hendricks and Ridin'-Hy Road due to mud. They also worked on the new broom that was purchased from Warren County. The second week, they raked and graded all of the dirt roads in town. They finished work on the broom tractor. Week three, they replaced two culverts on Padanarum Road. It rained most of

the week so they cleared the culverts and ditches and worked on the trucks. The last week of April they chipped all the brush from the winter debris. They swept all back roads and Main Street. Ridin'-Hy and River Road flooded with 2' of water but has receded as of May 1st.

Supervisor Conover stated that Tim Coon has made good use of the camera that he has been given. It appears that the County and State will meet the thresholds due to the recent flooding, so any damage caused to their roads that they can submit on will be well documented. This was one of the recommendations from the Emergency Response. This will not only show the damage caused but also the work being done to fix the damage. So they are in a good position to receive federal or state aid relative to that damage.

Councilmember Rehm stated that she wanted to commend one of the Highway workers going above and beyond the call of duty. She recently observed Mitch Monroe using the street sweeper on Route 9N. He got out with a shovel to clean the debris out of the catch basins and culverts along a State highway. She was pleased to see that he understood the importance of keeping those areas clean and the water flowing and wanted to commend his efforts.

Assessor- The maintenance of deeds and property information was kept up to date in the computer file. Since last month they have had 3 more sales within the Town and the total since July 1st is now 23. He completed the valuing of properties he visited in January and February and responded to several requests for property value reviews from people that felt they were over assessed and corrected them if necessary. On April 21st he turned the 2011 computer file over to Warren County for processing of the Tentative Assessment Roll. The roll and notices were returned to him on April 28th with plenty of time for verification before the official filing on May 1st. Roll totals are as follows: Town taxable \$1,058,579,988 which is up \$1,854,416 from 2010. The number of parcels is 3,634 which was up 9 from 2010. There were assessment changes to 216 parcels. Deb MacEwan was out of the office for 2 weeks following surgery. Her return was just in time for sending out assessment changes.

Justice Department- Hon. Harry Demarest took in \$2,765 Hon. Edward Stewart took in \$2,045. Total monies forwarded to the Town was \$4,810. An itemized list is available for review in the Court.

Councilmember Deanne Rehm

Councilmember Rehm stated that she is really proud to be a member of the Town of Bolton. They have a great sense of volunteerism in their community. This past weekend there were back to back benefits. Volunteers are here every day and this month 2 volunteers are getting recognition; a trustee of the Library Hal Heusner and Maureen Mihalics, Outstanding Senior of the Year. On May 22nd, there will be a community work day at the Conservation Club. The Caldwells are organizing a group to work on the

community garden project and Barry Kincaid is organizing people to continue work on the nature trail. They are asking volunteers to bring their equipment and to lend a hand.

Recreation- She provided a copy of the signage that will be used in the parks for smoke/tobacco free zones. She stated that unless someone objects they would like to go ahead and order them by the end of the week.

Rescue Squad- They have submitted a proposal and request for an amendment to the Town's contribution to their budget. The Town usually provides \$85,000 and they are now asking that they add \$40,000 to that for more staff. This is due to the new State regulation that requires every shift be designated with who will be on call and who will be serving. In the past they were able to leave open space for volunteers to cover those times. The new legislation now states that if they do not have a volunteer to cover the slot they will have to cover it with paid staff. Councilmember Rehm stated that they will not need any of this money until September. She stated that the information is for the Board's review but she believes that they have shown that it is more than justified.

Also in the packet the Board should find that they have completed all of their paperwork to seek independence from the Bolton Volunteer Fire Department. By doing this they can take on volunteers and members who don't have to go through fire company drills. The ultimate end to this is that they will be able to raise revenue to bill for services which will help with how much the Town needs to contribute in future years.

Councilman Gregory Smith

Sewer Department- Took in 7,029,840 gallons of wastewater and average of 234,320 per day. Monthly samples were done and DMR's were mailed with no violations. All beds are dry except the one in use. They have also started using the upper beds. North station pump fixed due to cleaning rags flushed into system and hung up the check valves. Changed oil and greased motor in lower buildings. Steve Roberts replaced the hot water tank. Put new packing in reject water pumps. Started raking the beds again. Had a flow meter calibrated. Opened up trickling filter for the summer. Ordered gas detector. Ordered spreaders for trickling filter. Hauled 16,000 gallons of liquid sludge.

Buildings and Grounds- Linda Baker and Harold Brown started this week. They are starting the spring clean ups in the parks. They have been working in the old police barracks and have fixed up their trailer. They are getting all of the equipment ready for the summer.

Councilman Smith read the letter he received from the Bolton Health Center commending the Buildings and Grounds workers who installed the new counters and reception area.

Supervisors Report:

- Receipts: \$154,543.44
- Disbursements: \$419,112.13
- Sales Tax Receipts: Total First quarter \$732,405.42 (Bolton: \$582,405.42)
- May 2nd to 6th the Water Department will be flushing main water lines any question call John Perry, Water Superintendent 644-9350, Notice will be published and flyers will be distributed.
- 2011-2012 Spring clean-up cards are being distributed and can be obtained at the Town Clerk's Office
- Donna Boggs has provided for your information a list of Chips funding from 1991 to 2010.
- GGFT will begin trolley service to Bolton once a week starting mid May. This is an additional trip to help employees get to Lake George and Glens Falls area.
- Time Warner Cable Service Extensions

The Board has received the report from TWC regarding the work that has been completed which is more than what had been envisioned. They have asked Time Warner to do a survey of certain sections of Lamb Hill/East Schroon River Road area to determine interest in certain sections in signing up. Subject to what that survey shows, his feeling at this stage is that they can move forward with the Lamb Hill/East Schroon River Road Extension. If they were to also include Padanarum, it would most likely require some short term financing to complete those projects, which could be repaid out of the franchise fees. Supervisor Conover stated that if they are to complete these two projects it would wrap up this work for a number of years because there won't be much more funding to do this type of work. Councilman Smith agreed that they should move forward with both of these projects. Supervisor Conover indicated that Timlo did meet the density requirements for Time Warner so all of that work will be funded by Time Warner.

- Fundraiser for Rick Dickson at the Lake Side Lodge and Grill, Thursday, May 5, 6-9:00pm.
- Water and Sewer Rates

Supervisor Conover provided information to the Board members regarding the increased rate proposal. He shared his observations with the Board members and reviewed the information and graphs that he created to show the revenue versus expenses for the districts for the past several years. He stated that typically they have seen that the expenses are more than the revenue for both districts. However in 2010, the Water Department did see a closing of the gap. This was due to the refinancing of their loan and the sale of some surplus land. With regard to the Sewer they are seeing some positives by receiving the grant to slip line the system because it is already helping the operation of their pumps and flows to the plant. They have another mile to do and they hope to continue their savings. There has also been an effort on both parts to reduce the operating costs, including the elimination of overtime, other than emergency situations and the shifting of the personnel costs out of the budget.

Supervisor Conover stated that he and Councilmember Rehm have had the opportunity to review the billing situation and the user groups involved to evaluate who pays what and why to apply some fairness and equity to the overall analysis. What they have found is that like most neighboring towns, they are going to need to apply a minimum quarterly usage requirement. The minimum would be for a 5,000 gallons and they would charge \$5 per thousand which would represent a \$25 quarterly charge. Even though home owners are not here year round the Town still has to maintain these assets whether they are here or not. He stated that in his review of other resort towns doing this same thing he has found that \$5 per 1,000 gallons is the minimum charge. Additionally, they find that there should be some sort of tier system and there would be increases in the rate for those using greater than 50,000 gallons and again at 150,000 gallons. The reason for this is because their largest customer under the present structure is not paying their proportionate share that they are utilizing and they are their largest customer. The Sagamore uses almost a third of the water that they bill and on the sewer side, with their laundry, represents almost half of the flows going to the sewer plant.

Supervisor Conover stated that they envision a two tiered system. On the Water side they see increasing the rate by 25 cents past the 50,000 gallons per quarter and as much as 50 cents past 150,000 gallons. Additionally, they need to ensure that the flat fee of \$100 per year is falling equally on all users. Some properties in town have multiple taxable properties that only pay one flat fee and that needs to be corrected. They are proposing that the flat fee gets applied to all taxable parcels in the water district. This would include applying it to all condo properties. On the Sewer side, the tiered structure would be greater in dollar amount because the gap is greater and the flat fee would need to be applied in a more equitable fashion. Supervisor Conover stated that if they were to apply these changes they would see increased changes to revenues.

Supervisor Conover stated that they have a financial challenge and the TB has always done a great job attending to this challenge. He feels that they will need to make some adjustments by applying a minimum charge quarterly, charging a flat rate equitably and that their larger users will have to do more.

Councilmember Rehm stated that they plan to set up a meeting for the public to review the information and provide input.

Old Business / Tabled Resolutions:

- Lower Brereton Road
- Lake George Camping
- Draft amendment to Ordinance #31 regulating size and horsepower of motor boats on Trout Lake (public hearing set for June 7, 2011).
- Peddler Permit

New Business:

- Resolution authorizing the Town of Bolton to join and cooperate with Warren County and other municipalities for purposes of soliciting bids for solid waste disposal by adopting resolution provided by Warren County for this purpose.

RESOLUTION #80

Councilmember Rehm moved, seconded by Councilman MacEwan to authorize the Town of Bolton to join and cooperate with Warren County and other municipalities for purposes of soliciting bids for solid waste disposal by adopting resolution provided by Warren County for this purpose. All in Favor. Motion Carried.

- Resolution recognizing Maureen Mihalics as the 2011 recipient of the Warren County Outstanding Contribution by a senior award.

Supervisor Conover stated that there is a luncheon on May 19th at the Fort William Henry recognizing her.

RESOLUTION #81

Councilman MacEwan, seconded by Councilman Smith to recognize Maureen Mihalics as the 2011 recipient of the Warren County Outstanding Contribution by a senior award. All in Favor. Motion Carried.

- Resolution setting public meeting for Wednesday, May 18 at 7:00pm on sewer and water rate changes.

RESOLUTION #82

Councilman Maranville moved, seconded by Councilman Smith to set a public meeting for Wednesday, May 18 at 7:00pm on sewer and water rate changes. All in Favor. Motion Carried.

- Resolution authorizing Supervisor to enter into contract for professional service with CT Male for professional services associated with the Town dam at the Conservation Club Pond in an amount not to exceed \$6,475.

Supervisor Conover stated that the Town owns this dam and it is in need of some repair due to beaver dam impoundments. They are in the process of lowering the level of the pond to assess the condition of the dam. They will be putting together a maintenance plan for the dam which will be approved by the DEC. Right now the wash out area on the one side actually makes for an alternate spillway and the idea would be that the elevation of the spillway should be determined and arm it so that it doesn't erode.

RESOLUTION #83

Councilmember Rehm moved, seconded by Councilman MacEwan to authorize Supervisor to enter into contract for professional service with CT Male for professional services associated with the Town dam at the Conservation Club Pond. All in Favor. Motion Carried.

- Resolution allowing Bolton Volunteer Firemen and Bolton Emergency Squad to participate in the Town of Bolton Health Insurance Program (all costs associated with

the provision of this health insurance benefit will be paid for by the Bolton Volunteer Fire or Emergency Squad member).

Supervisor Conover stated that they are hoping that this may entice more members to participate in the squads.

RESOLUTION #84

Councilmember Rehm moved, seconded by Councilman Smith to allow Bolton Volunteer Firemen and Bolton Emergency Squad to participate in the Town of Bolton Health Insurance Program, with all costs associated with the provision of this health insurance benefit will be paid for by the Bolton Volunteer Fire or Emergency Squad member. All in Favor. Motion Carried.

- Resolution regarding use of Rogers Park by the Bolton Chamber for a French and Indian War encampment.

Supervisor Conover stated that he really likes this idea for Bolton. However, he is concerned with the wear and tear on the park but if they keep it small it should work out ok. He likes that they are taking a year to plan this out which takes maturity and experience on the part of the Chamber and Kelley O'Neill Teer.

RESOLUTION #85

Councilman Maranville moved, seconded by Councilman MacEwan to use Rogers Park by the Bolton Chamber for a French and Indian War Encampment. All in Favor. Motion Carried.

- Resolution authorizing advertising Animal and Dog Control Officer position for the Town of Bolton.

Supervisor Conover stated that Harry Simmes has submitted his resignation.

RESOLUTION #86

Councilmember Rehm moved, seconded by Councilman Maranville to accept Harry Simmes' resignation as Animal and Dog Control Officer and recognize all of his hard work and service to the Town of Bolton. All in Favor. Motion Carried.

RESOLUTION #87

Councilman Maranville moved, seconded by Councilman MacEwan to authorize advertising Animal and Dog Control Officer position for the Town of Bolton. All in Favor. Motion Carried.

- Resolution authorizing Supervisor to enter into renewal contract with Hudson Headwaters Health Network for Hepatitis B vaccinations.

Supervisor Conover stated that this is a contract they enter into annually and there is no change in the cost of the service.

RESOLUTION #88

Councilman MacEwan moved, seconded by Councilman Maranville to authorize Supervisor to enter into renewal contract with Hudson Headwaters Health Network for Hepatitis B vaccinations. All in Favor. Motion Carried.

- Resolution authorizing Michael Muller to represent the Town relative to CSEA claim should it be required.

Supervisor Conover stated that this is for the physicals that are now required. Some legal services may be required relative to this matter and he would like authorization to pay Counsel Muller in the event that they may need him.

RESOLUTION #89

Councilman Smith moved, seconded by Councilmember Rehm to authorize Michael Muller to represent the Town relative to CSEA claim should it be required. All in Favor. Motion Carried.

- Resolution authorizing Supervisor to execute contract for disposal of electronics with Northeast Electronics subject to review and approval by Town Attorney.

Supervisor Conover stated that this sounds great and it is a local company doing this disposal. There are new regulations on the disposal of these monitors and screens. Councilmember Rehm stated that she was pleased to see that there would be no cost.

RESOLUTION #90

Councilman Maranville moved, seconded by Councilman MacEwan to authorize the Supervisor to execute contract for disposal of electronics with Northeast Electronics subject to review and approval by Town Attorney. All in Favor. Motion Carried.

- Resolution regarding Farmers Market in Bolton.

RESOLUTION #91

Councilman Maranville moved, seconded by Councilman MacEwan to support the concept of having a Farmer's Market in the Town of Bolton pending further information. All in Favor. Motion Carried.

Public in Attendance

- Mark Schachner

Mark Schachner stated that he was interested in seeing the TB pass a resolution to allow for a public hearing on his proposal. This would allow the public the opportunity to be heard all in one night. Supervisor Conover stated that all the Board members fully understand the request and they are welcome to make such resolution. Councilmember Rehm stated that she understands the concept and feels that it might be more efficient to hear about this as well. Supervisor Conover stated that he approaches this differently. He feels that anyone that wishes to host legislation is hosting the legislation and that typically they do not host a public hearing for a proposal brought forth from third party. Mark Schachner stated that he is not trying to argue the merits they are just trying not to

delay the process. He stated that he feels that if there is a sentiment to advance the alternative proposal they would have to schedule another public hearing. Councilman MacEwan asked why this couldn't just be raised at the public hearing. Counsel Muller stated that it can be presented that way but he understands Mark Schachner's point of view that it is a dramatic change to what would be published as notice before the meeting. If it were to come up in the meeting and found acceptable they would have to provide notice and hold another public hearing again. Councilman MacEwan asked what happened if they disagree with what is being proposed. Councilman Maranville agreed and stated that he is not going to feel pressured to agree to something tonight without reviewing it. Supervisor Conover stated that if any Board member wishes to request legislation they can do so at any time. Councilmember Rehm asked what happens if neither of these proposals are approved. Supervisor Conover replied that the current legislation would stand.

- Zandy Gabriels

Zandy Gabriels agrees with Councilmember Rehm's compliment of Mitch Monroe's efforts regarding his cleaning up of a State Highway.

Zandy Gabriels stated that he is upset with the fact that the State is requiring that the Rescue Squad fill all of their slots which could end up costing them an additional \$40,000. It is a one size fits all approach by the State and recommends that they talk to Senator Little to assist in this issue. He feels that their Rescue Squad does just fine as it is and does not feel that they need to have the additional staffing.

With regard to sewer, Zandy Gabriels stated that he draws the public's attention to the amount of water that ran through the plant for April. He stated that the sewer plant is still taking in a significant amount more water than what is being produced by the Water Department. He stated that they finished slip lining the system at the end of March. The Sewer district is smaller than the Water and they should not be getting 7 million gallons through there after slip lining a mile. He stated that they have significant difference in the amount of water filtered and produced and the amount taken in by sewer. He is not sure that slip lining is the answer for the problem. They have a problem and it is not just an aging system. He stated that with the I & I they have a lot of private citizens pumping their water into the public system. He suggested that before they start raising the cost of the rates, they should evaluate whether or not the plants are working efficiently and properly. He also feels that the percentages that they have for usage of commercial properties have been around for a long time and they were intended not to change. They still have problem, but the percentages are historic so he discourages tagging the Sagamore with a large increase.

Supervisor Conover stated that he is one of a long list of Supervisors that would like to find all of the leaks in the system.

Transfers

RESOLUTION #92

Councilmember Rehm moved, seconded by Councilman MacEwan to rescind Resolution #72 for April 2011 and approve the following amended transfers:

From	To	
GENERAL FUND		
71104 Parks	71102 Parks	\$437.00
80104 Zoning	80102 Zoning	55.00
80202 Planning	80102 Zoning	450.00
19904 Contingency	97306 Bond Anticipation Note	\$7,579.00
19904 Contingency	42154 Drug & Alcohol Testing	\$1061.00
19904 Contingency	56304 Bus/Trolley	\$304.00
Sewer District \$25,000 from General Fund		
Increase Budget by Justice Court Grant amount \$8,479.04		
Revenue 3897 Appropriations 11102		

SEWER DISTRICT

81104 Administration	81102 Adm. Equip	\$1425.00
81302 Treatment	81202 Collection	\$312.00

All in Favor. Motion Carried.

Pay Bills :

RESOLUTION #93

Councilman Smith moved, seconded by Councilman Maranville to approve payment of the following bills, with the Councilman Smith abstaining from any approvals of

payments to Ron's Hardware.

	Voucher #	Amount
April Mid Abstract 4A:		
General	404,455-471,473	\$4,586.68
Highway	215	16.54
Water	89, 90	1,315.88
Sewer	92-95	5,024.71
Lights	466, 472	396.27
May Abstract:		
General	380-403,405-454,474-505	52,744.45
Highway	169-214, 216-233	39,814.45
Water	76-88, 91-95	5,394.77
Sewer	71-91, 96-105	10,324.51
Culture Activities	1	87,355.00
Tourism	3-4	15,000.00

All in Favor. Motion Carried.

Executive Session: Contractual Matter

RESOLUTION #94

Councilman Maranville moved, seconded by Councilman MacEwan to enter into Executive Session at 10:20pm with no further business to be conducted. All in Favor. Motion Carried.

Adjourn :

Minutes respectfully submitted by:
Patricia Steele
Town Clerk

Minutes respectfully submitted by:
Kristen MacEwan
Minute Taker