

BOLTON TOWN BOARD

Call To Order: 7:00 pm

October 2, 2012

Pledge: Susan Wilson

Regular Meeting:

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

Minutes: Approve Minutes of Town Board Meeting held September 4, 2012.

Councilman Maranville stated that with regard to the Assessor's report, instead of reading the report from Dave Rosebrook's point of view with I and my, he would like the report read from him for Dave Rosebrook.

RESOLUTION #188

Councilman Maranville moved, seconded by Councilmember Wilson to amend minutes. All in Favor. Motion Carried.

RESOLUTION #189

Councilman Maranville moved, seconded by Councilmember Wilson to accept amended minutes. All in Favor. Motion Carried.

- Variance application by Sisca and Sisca LLC, this application was tabled on 8/7/2012 and the public hearing kept open. **Note: (there will be no review or action take on this application at the October 2nd, 2012 meeting of the Bolton Town Board and the public hearing will remain open).**
- SEQRA Environmental Assessment Finding
- Resolution regarding variance request by Sisca & Sisca LLC (Francis Sisca)

Supervisor Conover stated that they will not be dealing with this application again tonight. He asked Counsel if it should be kept on the agenda. Counsel Muller replied yes because we have just received some correspondence from the applicant indicating that they would be submitting further information. Supervisor Conover stated that he will notify the neighbors; it seems that the applicants are starting over with their application.

Public in Attendance:

- Tracey Clothier, LA Group update on Hike-Way / Bikeway Study.

Supervisor Conover stated that the State awarded Bolton a grant to complete this study which was done by the LA Group. The submission was done in cooperation with the Town of Hague and both the Town and Village of Lake George. He invited Tracey Clothier to provide the Board with an update at this time.

Tracey Clothier stated that they are at the inventory stage of this project. They have compiled a few maps of all the hiking and biking trails on the west side of Lake George. She stated that it is their hope to get a grant to do the east side of Lake George as well. Tracey Clothier stated that they looked at ways to create an economic development so that people can bike and hike together and make Lake George a destination. Right now the problem is that no one knows what to do on the trails; they don't know where to go or what to do, so we need to make sense of it all.

Tracey Clothier stated that Ticonderoga was not part of the study but there are trails that lead all the way up to Ticonderoga. She reviewed the trail systems that were inventoried. During this inventory they looked at where we needed to see improvements. For example the Village of Lake George needs to have improvements to be more bicycle friendly. Route 9N between Lake George and Bolton was looked at for improvements however it will not be included on this list. The group would have to petition the State to make improvements. She stated that they are taking a look at the next 5 years to add improvements to this road. In Bolton she has found that we do not have a great deal of flat area for seniors to walk. She stated that the fields in front of the school could be a possibility for some trails.

Tracey Clothier stated that the second part of the study was to look at bike travel. They reviewed and incorporated the work of the County Safe Quality Biking Group and Warren County Planning Department work that have created some interesting loops for biking.

Tracey Clothier stated that a large part of the project is to show all the trails, how they can be done in segments as well as creating better markers for parking areas and alternative routes. Tracey Clothier stated that a big part of this project is to put up appropriate signage so that people don't get lost. Additionally it would add to the economic development initiative.

Sue Wilson asked what will ultimately be published for the public. Tracey Clothier replied that they don't have the money in the budget to produce the brochure but that would be the next step. She stated that they will produce everything that would go in a brochure but it would be up to the County or municipalities to take the information and put them in brochure form. She stated that a lot of people are using online resources, so it could be put online as well. Tracey Clothier added that part of the next step is providing ways to market it to the public.

Supervisor Conover stated that he understands that the east side of the lake was not incorporated in this study but would eventually like to see an entire section devoted to the entire lake. Tracey Clothier stated that the trails can certainly be placed on the map but won't be included in the improvements. She stated that there are also places that are doing geo-caching which can be incorporated into the map.

Tracey Clothier suggested that eventually the Town may want to consider putting a dock at

Shelving Rock. It would allow them to bring hikers over for the day to hike the trails which might be a nice service to provide.

Supervisor Conover stated that he is most concerned with having the best way to organize and presenting this information. There is a lot of information that has been provided and some areas of interest that we may be less familiar with. He hopes that the committee will organize the information so that we are able to incorporate the recommendations into our design standards for roads and infrastructure.

Supervisor Conover thanked Tracey Clothier, Sue Wilson and the Municipal Planning Committee. He stated that they have built upon the recommendations from Warren County Planning Department and Safe Quality Biking Committee and the work that was done by the Greater Glens Falls Transit. Councilmember Wilson stated that she, Sue Heusner and Tom Hall went out and did some spotting and took some pictures and determining GPS coordinates.

Tracey Clothier stated that when they do approach the State about 9N, they need to be aggressive in their approach as to what they want to see to make it a safer route for all.

Zandy Gabriels addressed the Board concerning the Asian Clams issue.

Chris Navitsky, Lake George Waterkeeper stated that he wanted to inform the Board about some recent invasive species work that The Fund and Waterkeeper were involved with in the Town of Bolton. Regarding Eurasian Water Milfoil, the first week of September they contracted with Aquatic Invasive Management to address several areas of the lake and the first point was Bolton. During that week they removed a total of 142 bags of milfoil from around the town; 77 bags from Huddle Bay, 48 bags from Northwest Bay and 17 bags from Basin Bay. Chris Navitsky stated that he wanted to thank the Town for their support in their efforts. They met with the Supervisor and the Highway Department provided a truck to help in removal of the bags.

Chris Navitsky thanked the Supervisor for his efforts at the County level with regard to Asian Clams. He appreciated the long hard fight to get the County to raise the bar and as a result they did get \$270,000 towards the effort.

Correspondence:

- Debra LaBelle, Chief, Consumer Outreach Education, NYS Department of Public Service regarding raising awareness of the Lifeline Discount Telephone Service Program.
- Michael Muller, Town Attorney to Mark Bergman, Hearing Officer regarding request for re-hearing regarding 2012 Tax Assessment Challenge/Small Claim Petition.
- John Mucha, Director of Governmental Relations, Time Warner Cable, regarding possible changes to programming and services.
- Debra Foley, Town Clerk for Lake George transmittal of proposed Local Law 3-2012 amending Town of Lake George Zoning Law to add provisions relating to small temporary signs.
- Michael Muller, Bolton Attorney regarding various Tax Certiorari Proceedings.
- Dr. James Seeley, Executive Director, Cornell Cooperative Extension of Warren County

- regarding Warren County Campership Program and thanking Town of Bolton for its support.
- David Wick, Executive Director, Lake George Park Commission SEQRA Lead Agency Response Form relative to program limiting introduction of aquatic invasive species to Lake George.
 - Randy Rath, Lake George Association regarding invitation to join with the LGA and Warren County Soil and Water to get the sediment basin around the Lake cleaned out.
 - Gary Haight to Bolton Police Chief regarding questions of trespass and harassment and when to contact Bolton Police.
 - Arthur Baker, Lakeside Lodge and Grille, LLC, 4934 Lake Shore Drive, notification to renew liquor license.
 - Dan Rounds, Marshall Sterling regarding Health Care Reform Seminar to be held October 9 at Glen Sanders Mansion.
 - Eric Siy and Christopher Navitsky, PE, Lake George Waterkeeper 10th Anniversary Publication: *Reflections*.
 - Wauneata Waller, Director, Bolton Landing Chamber, request to utilize Town Hall Meeting rooms on Saturday, December 1, 2012 in conjunction with "Girls Day Out".
 - Michael Muller, Alexander Gabriels, BLDC response to the State of New York Authorities Budget Office regarding steps to bring the organization into compliance with statutory filing requirements.
 - Jack and Sherry Yattaw, Thunderbird Road regarding improvement schedule for their road.
 - Association of Towns 2012 Fall Personnel and Ethics School one day seminar November 2, 2012 in Syracuse, NY.
 - Bond Schoeneck and King regarding breakfast briefing Zoning and Planning Case Law Update (1.5 hours CE credit) to be held Saratoga Springs on October 16, 2012.
 - Marcy Dreimiller, Co-Race Director, Adirondack Runners request for use of Rogers Park on Sunday, June 23, 2013 for finish line of the Adirondack Distance Run.

Supervisor Conover stated that the Board has been provided the 2013 tentative budget and that the Board will be setting work sessions on the budget.

Committee Reports:

Councilman Robert MacEwan

Water Department- John Perry- Actual flow through the plant before deductions 7,751,281 gallons, after deductions 6,808,895. CL2 used-137lbs. Orthophosphate 2/3 used 17.1 gallons. Soda ash used 1,000lbs. PC2300 used 95 gallons. Pond level still way down. September was busy as usual. Monthly samples for bacteria came back satisfactory. They have been mowing and weed whacking around the plant and hydrants. Had to fix the main compressor that runs the plant. The pressure regulator and check valve assembly had to be changed. We got 15 years out of those parts. Had the boiler furnace cleaned by Jack Hall; it was very dirty. Bill Suften did his last application of copper sulfate until next summer. They dug up the septic tank and had it pumped out; just routine maintenance. Tim Coon and Highway Department filled in cracks in the parking lot at the plant; they did a good job. Now they are going to have it seal coated so hopefully they will get a few more years out of it before black topping again. Heritage Village Association had a water leak at one of their homes; the first one on the right, Lennon's, 8 Heritage Road. They had a ¾" plastic line that had a crack which was fixed. Turned the water on to the new house at Huddle for Hal Monty at 4687 Lakeshore Drive. They

have been turning water off to a few summer places. We also had to locate a few water lines and mark them out.

Transfer Station-Lisa French- Total for the month is \$6,776. Spring clean-up cards total \$4,217. Metal pile is cleaned up and it looks great. They did a great job, she was very happy with the results. We still need to address the building. There are holes in the floor and they have critters trying to get in the building. Lisa is concerned that if we wait too long they will be dealing with the cold weather and more critters. They only have a certain amount of outlets to plug in heaters. There is still metal in a 30yd Eastside container, she would like to do something about it before winter sets in. With regard to winter, they do not have a plow truck and she is concerned with clearing the parking lot. They have a shovel and a snow blower, when there is a lot of snow, it only does so much.

Sewer Department-Chet Dagles- Took in 4,447,270 gallons of wastewater an average of 148,242 gallons/day. Monthly samples done. DMR's mailed; had 3 violations. Wells 3 & 5 high in nitrates and effluent high in phosphates. Beds in bad shape due to tractor not running half the time. All dry but the one in use. Breaker for compressor keeps shutting off. Had Mike Fitzgerald up but the problem continues. Changed oil in blower building. Had inspection by DEC- did very well. Hauled 14,500 gallons of sludge. Jack Hall cleaned furnaces. Supervisor Conover stated that we are waiting to hear about the new alum process application; we just need the okay from DEC. This new process is better and will help tremendously.

Councilman Owen Maranville

Police Department-Jim Neumann- They patrolled 1,703 miles and used 147.2 gallons of fuel. An itemized list of all the calls answered is available for review.

Highway Department-Tim Coon- Currently putting in shoulders on Potter Hill Road. Ground and repaved a stretch of Mohican Hill Road due to oil spill. Ground graveled and repaved short section of Edgecomb Pond Road and put shoulders on that. Still working on Padanarum Road brushing and clearing corners. Crack sealing is all done. New 2013 Western Star is now in service. Road striping will begin the week of October 8th.

Assessor-Dave Rosebrook- During September the computer file was updated daily to keep up with deed transfers and address changes. Address changes were e-mailed to the School Tax Collector as they happened. So far since July 1, he has recorded a total of 9 arm's length sales. This appears to be at a slightly faster pace than last year. On 9/30/12, the Board of Assessment term for Sue Heusner expires. Sue has been a good member of the BAR and he supports her re-appointment. She has been contacted and she has stated her willingness to serve the Town for another term. During September, work continued on the new construction field work much of which was put aside for the revaluation project of 2012. He also worked on defending the small claim cases he had. He will be attending the annual Assessors' conference held this year in Lake Placid from 9/30 through 10/3. Most of his expenses are paid by NYS because of continuing educational requirements. During his absence, Clerk, Deb MacEwan will be filling in. On September 25, he attended the monthly meeting of the Warren County Assessors'

Association. This month it was held in Bolton at the Lake George Club. Not only was the meeting held in a beautiful historic location but it discussed a number of upcoming and important changes that they will have to deal with.

Justice Court-Annette Saris- Hon. Harry Demarest took in \$5,045 Hon. Ed Stewart took in \$4,716. Total monies forwarded to the Town totaled \$9,761.

Councilmember Susan Wilson

Planning and Zoning- We have advertised for an alternate member for the Zoning Board of Appeals. The information appeared in the Post Star and is on the bulletin board and Town website. Applications are due by October 12th.

Code Enforcement-Mitzi Nittmann- 27 page report, 18 sites visited, 127 miles logged and 4 letters/notices issued.

Bolton Community Center - The 2nd Annual Harvest Festival was held at the Community Center on September. They had some wonderful events and everyone had a good time.

Library- On October 10th at 6:30pm they will be holding a genealogy workshop conducted by Lauren Maehrlein, Education Director of the New York Genealogical and Biographical Society. The Society was founded in 1869 and their purpose is to collect and make available information on genealogy, biography and history as it relates to people in the State of New York. On October 28th they will be doing a Halloween Movie night for children. On November 3rd at 4pm, they will be holding a Harvest Cook-off for amateurs and professionals, prizes will be awarded.

Seniors- The regularly scheduled meeting will be held October 10th. On October 13th they will be going to the Charles Wood Theater. On October 17th they will be having lunch at SUNY Adirondack at their new location on Bay Road. On October 24th they will be having a Pot Luck Lunch with the Town of Bolton Employees.

Supervisor Conover stated that he cannot say enough about the Community Center Committee. They are doing a fabulous job. Councilmember Wilson stated that they are fortunate to have great community support.

Supervisor's Report

- Receipts: \$989,075.39
- Disbursements: \$1,442,212.08
- August sales Tax receipts for Warren County were up 11.2%; with total sales tax receipts year to date up 4.2% over last year.
- Work on basketball and tennis Court resurfacing at Rogers Park is largely complete. The backboards have yet to be installed and the company we hired is planning to come in to redo the striping.
- New restrooms at Rogers Park still waiting on National Grid to raise power lines so they can be delivered.

- We met with AES Northeast regarding sewage treatment plant. Supervisor Conover stated that he has recently gotten a proposal for a new process. He feels that they will be very helpful to the Town. He will come back to the Board.
- Per Town Board directive 3 radar signs have been ordered.
- Set up 2013 Town Board Budget Workshops for October 11 & 15, 2012 at 6:00 pm.

Old Business / Tabled Resolutions:

- Solar Project: Met briefly with Winslow Moore, Edge Design to discuss the project. Supervisor Conover stated that there has been a slight hold-up because of changes to federal regulations. Supervisor Conover stated that Mr. Moore will be getting us more information and he would like to review it with Councilmember Wilson to discuss the financial arrangements with the Board. If this project goes through it will probably take place in the spring.

- 824 Trout Lake Road

Counsel Muller stated that the much anticipated real estate closing fell through. However they have a new potential buyer, so he has let them have a little more time. He gave them until mid-October to move forward. He stated that he would prefer to extend it out to allow the purchaser to pay for what needs to be done. He would prefer to let the private ownership take over.

New Business:

- Resolution authorizing Supervisor to expend up to \$3,000 to help finance and participate in an LGA program to clean sediment basins (Indian Brook, Huddle Brook and Artist Falls).

Supervisor Conover stated that the LGA and Warren County Soil and Water will be contracting the equipment and will be doing the work. The Town will participate to help lower the cost but that is a great price to clean them out. He thanked Randy Rath and the LGA for putting this program together.

RESOLUTION #190

Councilman Maranville moved, seconded by Councilmember Wilson to authorize the Supervisor to expend up to \$3,000 to help finance and participate in an LGA program to clean sediment basins (Indian Brook, Huddle Brook and Artist Falls). All in Favor. Motion Carried.

- Resolution approving use of Rogers Park on Sunday, June 23, 2013 for finish line of the Adirondack Distance Run by the Adirondack Runners.

RESOLUTION #191

Councilman MacEwan moved, seconded by Councilman Maranville to approve use of Rogers Park on Sunday, June 23, 2013 for finish line of the Adirondack Distance Run by the Adirondack Runners. All in Favor. Motion Carried.

- Resolution appointing Susan Heusner to the Board of Assessment Review term to expire 9/30/2017.

Dave Rosebrook, Assessor, has recommended her reappointment. Supervisor Conover thanked Sue Heusner for her service to the community.

RESOLUTION #192

Councilman Maranhville moved, seconded by Councilmember Wilson to appoint Susan Heusner to the Board of Assessment Review term to expire 9/30/2017. All in Favor. Motion Carried.

- Resolution authorizing Supervisor to expend additional occupancy tax funding to assist the LGPC and Invasive Task Force in combating Asian Clams.

Supervisor Conover stated that the Task Force has money to go after the 4 new sites but do not have enough to cover the 4 existing sites. The worry is that if we leave 12-14 acres until next year we might find that we then have 30 acres. The long term program is being developed but will take some time to put in place. This Board doubled its effort this year from 10,000 to \$20,000. The County is looking to approve an additional \$270,000 of funds towards the cause. The funding actually might go up because it looks like the State might be stepping in.

Supervisor Conover stated that he has been looking into our Occupancy Tax funding; we are in a very healthy situation, we have always been very conservative with our funding allocation over the years. We have an additional \$30,000 that the Town receives in October which has nothing to do with funding next year. If the Board chooses to allocate additional funding, he would recommend that we could move funding that we would otherwise have contributed in future years. It would just accelerate the contribution.

Supervisor Conover stated that he would recommend allocating an additional \$20,000 to make it a total of \$40,000 for 2012. Then during budget deliberations we can make decisions for 2013.

Supervisor Conover stated that Mayor Blais has indicated that the Village of Lake George is looking to increase their share as well.

Councilman Maranhville asked if they have someone managing the funding they are receiving. Supervisor Conover replied yes originally it was channeled through the Village but now it may be run through the LGPC. Councilman Maranhville asked if we could get an idea of where the money is being spent so we can have a better understanding of where the money is going and the cost of the project. Supervisor Conover stated he would ask for an update for the Board.

Supervisor Conover stated that there have been quite a few challenges. They are finding that some of their techniques are not as effective; it has been a learning experience. He added that the 4 additional sites may have been sites that were missed originally. They are now trying to develop a long term program but it will take time. We are still looking to get a report on their recent findings as well as results from the recent projects. Tracey Clothier, LA Group indicated that the report would be completed by the end of October.

Chris Navitsky, Lake George Waterkeeper, stated that the LGPC has a conference call with the Governor's Office scheduled tomorrow. First and foremost on the agenda is to get additional funding. Chris Navitsky stated that a report was submitted regarding some of the concerns they encountered and discovered. He stated that Boon Bay was a difficult site and not as successful as they would have like. However they did see some success in some areas on the eastern

portion on the Hemlock Point side.

Chris Navitsky explained that they are trying different methods with the sandbags and additional overlap with the mats. This year they have decided to leave the mats in from October to Memorial Day or June. This will save money and could possibly be more effective than removing and replacing the mats.

Supervisor Conover stated that time is not our friend, we need to attack this now before it gets out of control. There are other areas that are dealing with invasives on a larger scale and still spending a lot of money.

RESOLUTION #193

Councilmember Wilson moved, seconded by Councilman MacEwan to authorize the Supervisor to enter into all necessary agreements and expend an additional \$20,000 in occupancy tax funding to assist the LGPC and Invasive Task Force in combating Asian Clams. All in Favor. Motion Carried.

- Resolution approving 2013 Town Board Budget Workshop meetings for Thursday, October 11 and Monday October 15 at 6:00pm.

RESOLUTION #194

Councilman MacEwan moved, seconded by Councilman Maranville to approve the 2013 Town Board Budget Workshop meetings for Thursday, October 11 and Monday October 15th at 6:00pm. All in Favor. Motion Carried.

- Resolution authorizing Town Clerk to place ad for seasonal road closings of Water Plant Road from the Susan Huck property to Potter Hill Road and Padanarum Road from Comstock Road to Wardboro Road as directed by Tim Coon, Bolton Highway Superintendent.

RESOLUTION #195

Councilman Maranville moved, seconded by Councilmember Wilson to authorize Town Clerk to place ad for seasonal road closings of Water Plant Road from the Susan Huck property to Potter Hill Road and Padanarum Road from Comstock Road to Wardboro Road as directed by Tim Coon, Bolton Highway Superintendent. All in Favor. Motion Carried.

- Resolution authorizing that Wanda P. Cleavland, Deputy Town Clerk be added on all license and fee accounts, tax and water and sewer accounts and be authorized to write checks related to these accounts in the absence of the Town Clerk.

RESOLUTION #196

Councilman MacEwan moved, seconded by Councilmember Wilson to authorize that Wanda P. Cleavland, Deputy Town Clerk be added on all license and fee accounts, tax and water and sewer accounts and be authorized to write checks related to these accounts in the absence of the Town Clerk. All in Favor. Motion Carried.

- Resolution for the Chamber to use the Town Hall on Saturday, December 1, 2012 for a Girls'

Day Out.

RESOLUTION#197

Councilman Maranville moved, seconded by Councilmember Wilson to authorize the Chamber to use the Town Hall for the Girls' Day Out on December 1, 2012. All in Favor. Motion Carried.

Councilman Maranville asked for information regarding his inquiry about the Trout Lake public access. Mr. Muller responded that he had sent an email to him explaining the situation. Mr. Maranville thanked him.

Public in Attendance

Dennis Murphy thanked the Supervisor and the Board for the amount of money budgeted and work completed on the highway repairs and improvements.

Dennis Murphy also addressed some comments raised at the last Board meeting regarding the tennis courts in front of the school and Fire House.

With regard to the question about financial reports for the Asian Clams, Zandy Gabriels stated that there are reports and information on the funding. However it is not broken down to be able to see the cost analysis for each site; it is done as a whole. The attention to details at the fiscal level has not been the best maintained.

Zandy Gabriels stated that he was astounded to hear that Dave Wick is considered the expert on the Asian Clams when he has only been with the LGPC for the last 5 months. He feels that the experts are the scientists at the Darrin Fresh Water Institute.

Transfers: Motion to approve transfers.

RESOLUTION #198

Councilmember Wilson moved, seconded by Councilman Maranville to approve the following transfers:

GENERAL FUND:

TO:	FROM:	AMOUNT:
8010.2 Zoning EQ	8010.4 Zoning CE	\$96.50
8020.2 Planning EQ	8020.4 Planning CE	\$96.50
8160.2 Refuse/Garbage EQ	8160.4 Refuse/Garbage CE	\$42848.00

All in Favor. Motion Carried.

Pay Bills: Motion to Pay Bills

RESOLUTION #199

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

	Voucher	Amount
September Mid Abstract 9A		
General	994	152.60
September Mid Abstract 9B		
General	983-989, 991-993	54,128.82
Highway	326-328	150.88
Lights	990	3,379.16
September Mid Abstract 9C		
General	1037-1046,1048-1054	3,627.33
Highway	346	16.54
Sewer	213-216	2,438.65
Water	187-188	1,281.48
Lights	1063, 1047	413.50
October Abstract		
General	995-1035, 1055-1082	33,67.03
Highway	329-345, 347-353	350,164.66
Water	177-186, 189-199	10,394.47
Sewer	201-212, 217-223	11,824.61
Tourism	42	530.17

All in Favor. Motion Carried.

Executive Session:

- Matters involving ongoing litigation & matters involving contractual negotiations.

RESOLUTION #200

Councilman Maranville moved, seconded by Councilman MacEwan to enter into Executive Session at 8:30pm with no further business to attend to. All in Favor. Motion Carried.

Adjourn:

Respectfully submitted by:
Patricia Steele
Town Clerk

Respectfully submitted by:
Kristen MacEwan
Minute Taker