

REGULAR MEETING
BOLTON TOWN BOARD

January 2, 2018

Regular Meeting:

Supervisor: Ronald Conover
Councilman: Robert MacEwan
Councilman: Tim Coon
Councilmember: Wanda P. Cleavland
Councilmember: Susan Wilson
Town Clerk: Jodi Connally
Counsel: Michael Muller

Meeting Call to Order: 6:00 PM.

Minutes:

- Approve Minutes of Regular Town Board Meeting held December 5, 2017.
- Approve the Minutes of the Year End Meeting held December 27, 2017.

RESOLUTION #28

Councilmember Wilson moved, seconded by Councilmember Coon to approve the minutes of the regular Town Board Meetings held December 5, 2017 & December 27, 2017. All in Favor. Motion Carried.

BID OPENING:

LOT #1 – Harvey Coon \$651.35

- (4) LT 245-75R17 tires with rims.
- (4) LT 265-75R16 tires with rims.
- (11) 19.5 tires with rims.
- (1) 19.5 tire without rim.

LOT#2 – Jim Troelstra \$1,101.00

- 9 ft. Tarco Highlander Jr. Stainless Steel Sander.

LOT#3 – Jim Troelstra \$651.00

- 8 ft. Tarco Highlander Jr. Stainless Steel Sander.

LOT#4 – Jeramy Dingman \$2,275.00

- 9.6 ft. EZ-V Fisher Plow.

LOT#5 – No Bids

- Delco Steamer.

LOT#6 – No Bids

- Steam Jenny.

NOTICE OF PUBLIC HEARING

For the purpose of the consideration of request by Bolton Landing Brewing Company, 4933 Lake Shore Drive, Bolton Landing, New York – Tax Map Parcel ID 171.19-1-64 for:

- 1) Approval pursuant to the provisions of Rules and Regulations of the Bolton Sewer District #1 (Ordinance 5 & 18) for permission to introduce waste into the municipal sewer system for brewery operations, AND
- 2) Variance pursuant to Section 4g to allow introduction of brewery or distillery waste water into the municipal sewer system, AND
- 3) For the relief that may be required to allow the facility to operate and maintain floor drains that introduce waste water into the municipal sewer system.

John Murnane presented the following:

- They purchased this property in the fall of 2016 with the intent to house Bolton Landing Brewing Company.
- He read the following from an email from the Zoning Administrator that they received on December 14, 2017: *“Just by using the floor drains is not improper. It would be allowing things to be introduced into the floor drains that are things like petroleum distillates, herbicides, pesticides, controlled substances... especially things that are not likely to be part of a brewery environment.”*
- They are here to state firmly that they have no intentions to ever introduce the contaminants stated in the email into the drains.
- The product is nontoxic, it is consumable.
- They last brewed 22 days ago and have brewed 9 times thus far.
- The contractors they have hired builds brew pubs and have stated they have never built a brew pub without drains, because of the volume of water.
- They clean with mild detergents.
- They do hope they will grow, but not on this footprint.
- At some point they will make more product elsewhere.
- They have been here since 1988 and they do not want to interfere with the nature of the Town of Bolton.

John Gaddy stated the following:

- He had listened to the application as a Planning Board member and they had concerns with the water and smell and effluent issues.
- He detailed a document put out by the Brewer’s Association taking a look at water and wastewater treatment and volume reduction.
- He offered this information to the Board.
- This is an ambitious project that’s an investment in the vitality of the business community.

- The Murnane's have been up front every time and asked what concerns the Planning Board may have.
- One of the questions from the Planning Board was about possible smells.
- One of the big things in the publication is the continuing improvements and the importance of community ties that the Brewers have.
- The Murnane's have been always been available for any questions for their project.
- He is sure they would incorporate any best practices that the town would fine to ensure their success as well as having the least impact on the town systems.

Zandy Gabriels encouraged the Board to approve the variances requested and spoke on the following:

- The email from the Zoning Administrator explains what the contaminates are.
- Nutrients.
- His thoughts on why the town may have banned floor drains in the past.
- These variances are good provided that they are limited to the distillery project.
- Concerns for future businesses in this building.

John Gaddy stated that he had been assured by the Murnane's that if they grew to be a larger production, it would be moved off site. John Murnane stated that they do hope to be a bigger business at some point, but not on that footprint. They have been told that at some point they will have to produce more, but it won't be there. He is interested in talking about other areas that may be available in the Town of Bolton to accomplish this. It is his plan that as long as they are doing great there it will be the Bolton Landing Brewing Company for a very long time.

Councilmember MacEwan asked what volume of water they were dealing with. Sean Kirk, Head Brewer stated they would be using 15 gallons with a 3% dilution of chemicals. Councilmember MacEwan stated that was not a lot. Mr. Kirk explained that they used industry standard best management practices.

Supervisor Conover asked if they could strike the term distillery from the application. Brendan Murnane said that was fine.

Supervisor Conover closed the public hearing.

- Resolution declaring the Town of Bolton Sewer District as Lead Agency.

RESOLUTION #29

Councilmember Wilson moved, seconded by Councilmember Coon to declare the Bolton Town Board acting as the Sewer District as Lead Agency under SEQRA for the proposed project at 4933 Lake Shore Drive, Tax Parcel ID 171.19-1-64. All in Favor. Motion Carried.

- Resolution regarding SEQRA Determination.

Councilmember Wilson asked the Board the following questions;

1. Do any of the Board Members have concerns with any of the items listed

- 1 through 20 in Part 1, on the SEQRA Form as submitted by the applicant? No
2. Will the proposed action impact any of the items listed 1 through 11 in Part 2 of the SEQRA Form? No
3. Do the Board Members agree that this project will result in no adverse impacts on the environment; and, therefore an environmental impact statement need not be prepared? Yes.

Based upon the materials submitted and accepted as part of the record, our findings are as follows:

- A. The Applicant's SEQRA submission, and our analysis of the issues presented, demonstrates that there are no significant environmental impacts or concerns.
- B. The applicant has provided clear and complete responses to issues recited in the SEQRA questionnaire and based upon all information reviewed by this lead agency in its SEQRA analysis, including a thorough "hard look" and consideration of the applicant's entire submission, and upon all board and public comments received, it is appropriate in the opinion of this lead agency to make a finding that the proposed action will result in no adverse environmental impacts and that any identified adverse environmental impacts will not be significant, or where identified, are sufficiently mitigated by virtue of the conditions imposed in granting approval. All in Favor. Motion Carried.

RESOLUTION #30

Councilmember Wilson moved, seconded by Councilmember MacEwan to make a negative declaration with regard to SEQRA for the septic variance application proposed for the project at 4933 Lake Shore Drive, Tax Parcel ID 171.19-1-64. All in Favor. Motion Carried.

- Resolution to grant variance and relief to Bolton Landing Brewing Company, 4933 Lake Shore Drive, Bolton Landing, New York – Tax Map Parcel ID 171.19-1-64.

RESOLUTION #31

Councilmember Wilson moved, seconded by Councilmember Coon that having declared the Town of Bolton as Lead Agency, having held a public hearing and having made a Negative Declaration for the SEQRA Application, make a motion to approve this application for Tax Map Parcel ID 171.19-1-64 pursuant to the provisions of the Rules and Regulations of the Bolton Sewer District, Ordinances 5 & 18, to allow the applicant to introduce waste into the municipal sewer system for brewery operations; AND, to grant a variance pursuant to Section 4g to allow introduction of brewery wastewater into the municipal sewer system; AND, to allow the facility to operate and maintain floor drains that introduce wastewater into the municipal sewer system with the condition that the applicant provide the Town of Bolton information that characterizes and quantifies the wastewater leaving the brewery room upon request. 2) Should there be any impact to the sewage treatment process that is attributed to the Bolton Landing Brewing Company they will cease and desist operations at the Town of Bolton's request.

Public in Attendance:

Zandy Gabriels said his Mother would be attending the Town Board meeting in February.

- He questioned substances being introduced to the town system stating it was a real complex issue.
- He spoke on potential infrastructure monies for water improvement projects and grants and his suggestion for a water tank for water pressure improvement at south end of town.

John Gaddy asked for safe access on and off the lake at Huddle Beach.

Correspondence:

- NYS Unified Court System request for audits.
- NYMIR offering online safety classes.

Committee Reports:

Councilmember Robert MacEwan

Justice Court:

- During the month of December 2017, Judge Harry Demarest took in \$7,103.00 and Judge Edward Stewart took in \$5,118.00. Total monies forwarded to the Town of Bolton amounted to \$12,221.00. There are itemized lists located in the Court if anyone desires to look them over.

Transfer Station:

- Total for the month is \$7070.00
- Spring cleanup cards \$2986.00
- Building in need of repairs, during this cold snap, it was freezing in the building, Lisa gave a big thank you to Councilmember MacEwan for buying a heater.
- Mike Fitzgerald came up to fix radiator. *Jack Hall has installed a new propane heater at this time.*
- No insulation and cracked foundation and leaking windows.
- Compactor has been having some issues with it being so cold, they are up and running now, Jim Maddison is coming to see if he can eliminate this problem.
- Getting information from Cassella and they will be getting used to having a different hauler.
- TVs will be picked up by Electronic Recyclers.
- Cohen's will still be hauling the metal.
- Lisa will be keeping a weekly journal on her dealings with Cassella due to previous issues.

EMS:

EMR report regarding billing activity for October 2017:

Calls: 36 of which 22 were billable

Gross Charges Billed in October: \$ 26,096

Gross Charges Billed YTD: \$183,156

Payments Received in October: \$ 16,483

EMR report regarding billing activity for November 2017:

Calls: 19 of which 12 were billable

Gross Charges Billed in November: \$ 15,883

Gross Charges Billed YTD: \$199,039

Payments Received in November: \$ 11,857

Payments Received YTD: \$112,154

- EMS billing receipts were \$128,212 thru November 2016.
- Payroll Expenses for November were \$17693. Year to date 2017 thru November was \$202,353 versus \$189,462 for 2016.
- Two more of our active volunteer drivers are out of service for an undetermined time; one due to illness and another due to non-work-related injury. That is three important members of the squad who are inactive.
- In addition to the response of paid staff to the Edgecomb Pond through the ice emergency, two of our volunteer members responded and assisted with the transport of the surviving ice fisherman to Glens Falls Hospital.
- Additional long sleeve uniform t-shirts expected to be ready next week.

Councilmember Tim Coon

Assessor:

- Exemption season is continuing as Enhanced renewals are coming in. The Senior (Aged) and Non-Profit exemption renewals have been sent in the mail. All exemptions have a receipt deadline of March 1st. Taxable Status Date, to be effective for the 2018 Assessment Roll.
- NYSDTF has indicated the rebate checks are being mailed and everyone should have them in the next three months. The Assessor's office has not heard if anyone has received the rebate check at this time.
- Valuation process for the 2018 Assessment Roll will begin this month and continue until the Tentative Roll is filed on or about May 1st.

Councilmember Susan Wilson

Planning / Zoning:

- The Planning Office for the month of December collected fees in the amount of \$916.75 for various items including Certificates of Compliance, Septic Permits, Variances, Site Plan Reviews, Stormwater Permits and After the Fact Fees.
- Pam, Mitzi, Mike and I continue to meet with Jim Martin to review of the zoning code update.

- Staff is continuing to incorporate the zoning enforcement files into the master files.

Town Clerk's Office:

- Dog licenses and renewals.
- Hunting / fishing licenses.
- Collected water /sewer rents.
- Preparation for 2018 Town & County tax season.
- Collected, processed and receipted \$1,031,596.68 as of December 31, 2017. Tremendous job done by the staff in the Clerk's Office pertaining to this Federal tax change.
- Extremely high volume of mail and telephone calls pertaining to 2018 Town & County tax questions.
- Jodi attended a tax training program held annually in Clifton Park.
- The Town and County Tax information is available on the Town's website.
- Multiple abstracts completed by Rebecca in preparation for the end of the year bills.
- Continuing with the distribution of the "Smart Bulbs".
- Continue to update files in accordance with the MU1.
- Dig safely requests.
- Ordering of supplies for various departments.
- Marriage licenses.
- Death certificates.
- Notarized numerous documents.

Supervisors Office:

Along with all, of our normal daily duties, such as paying abstracts, paying bills, biweekly payrolls, monthly insurances, state retirement and deferred compensation, we are continually cleaning out and updating the office files.

- Website.
- Insurance Reports.
- Personnel.
- Correspondence.
- Notarized documents for many different individuals.
- Grants.
- Updating Vehicle lists.
- Updating Personnel files.
- Quarterly Reports.
- Project quotes.
- Retirement Updates.
- MU1's.
- Quarterly Payrolls.
- Annual Employee letters.

Councilmember Cleavland

Library:

- The library continues to conduct their Movie Night Fund Raiser with the Bolton After School Program. This month it will held on January 20th from 6:00 to 8:00pm. It is offered to children from pre-school through 6th grade. The cost is \$6.00 per child and there is a food and drink concession available to purchase snack items. For more information contact Megan at the Library.

Supervisor's Report:

- Welcomed Councilmember Cleavland to the Board.
- Deposits: \$509,360.42
- Disbursements: \$614,461.79
- A nice retirement party was held for Harry Demarest.
- Recognized Officer Russ Lail for a very heroic act at Edgecomb Pond.

New Business

- Resolution appointing Joel Jacko to a 3-year term on the BLDC Board of Directors with term to expire 12/31/2020.

RESOLUTION #32

Councilmember Coon moved, seconded by Councilmember MacEwan authorizing the appointment of Joel Jacko to a 3-year term on the BLDC Board of Directors with term to expire 12/31/2020. All in Favor. Motion Carried.

- Resolution appointing John Cushing to a 7-year term on the Bolton Planning with term to expire 12/31/2024.

RESOLUTION #33

Councilmember Wilson moved, seconded by Councilmember Cleavland authorizing the appointment of John Cushing to a 7-year term on the Bolton Planning with term to expire 12/31/2024. All in Favor. Motion Carried

- Resolution appointing Jessica Rubin to a 3-year term as an Alternate on the Bolton Planning with term to expire 12/31/2020.

RESOLUTION #34

Councilmember Wilson moved, seconded by Councilmember MacEwan authorizing the appointment of Jessica Rubin to a 3-year term as an Alternate on the Bolton Planning with term to expire 12/31/2020. All in Favor. Motion Carried.

- Resolution appointing Jodi Connally Registrar of Vital Statistics.

RESOLUTION #35

Councilmember Cleavland moved, seconded by Councilmember Coon authorizing the appointment of Jodi Connally Registrar of Vital Statistics. All in Favor. Motion Carried.

- Resolution appointing Rebecca Coon Deputy Registrar of Vital Statistics.

RESOLUTION #36

Councilmember MacEwan moved, seconded by Councilmember Coon authorizing the appointment of Rebecca Coon Deputy Registrar of Vital Statistics. All in Favor. Motion Carried.

- Resolution authorizing Deputy Highway Superintendent, Matthew Coon to carry over 20 hours of unused personal time to be used in 2018.

RESOLUTION #37

Councilmember Wilson moved, seconded by Councilmember MacEwan authorizing Deputy Highway Superintendent, Matthew Coon to carry over 20 hours of unused personal time to be used in 2018. All in Favor. Motion Carried.

Public in Attendance:

RESOLUTION #38

Councilmember Wilson moved, seconded by Councilmember Coon to approve the following transfers: All in Favor. Motion Carried.

TRANSFERS FOR DECEMBER 2017 – YEAR END at January 2018 MEETING

To	From	Amount
<u>GENERAL:</u>		
1110.4 Justices CE	1110.2 Justices EQ	\$76.00
1330.4 Tax Collector CE	1410.4 Town Clerk CE	\$337.00
1670.4 Central Print/Mail CE	1910.4 Unallocated Insurance	\$65.00
7140.4 Recreation CE	7140.2 Recreation EQ	\$39.00
8160.4 Refuse/Garbage CE	8030.4 Research CE	\$327.00
<u>HIGHWAY:</u>		
5110.4 General Repairs CE	5148.1 Serv Other Govts PS	\$1,503.00
5110.4 General Repairs CE	9060.8 Medical Ins. (Town Share)	\$449.00
5130.4 Machinery CE	5130.2 Machinery EQ	\$120.00
5142.4 Snow Removal CE	Fund Balance	\$15,529.00
<u>WATER:</u>		
8310.4 Administration CE	8320.4 Source Power Pump CE	\$476.00

SEWER:

8130.4 Sewage Treatment CE 8110.4 Administration CE \$181.00

RESOLUTION #39

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

Pay the Bills:

	Vouchers	Amount
Mid Abstract 12C		
General	1828-1841	\$3,611.48
Hwy	604-616	17,600.76
Sewer	406-414	880.92
Water	330-335	475.61
Lights	54	643.61
Sewer Plant Improvement	4	1050.00
Abstract 1		
General	1-10	\$87,993.24
Highway	1	6,348.30
Sewer	1-2	5,880.00
Water	1-2	3,120.00

Adjourn:

RESOLUTION #40

Councilmember Wilson moved, seconded by Councilmember Coon to adjourn. All in Favor. Motion Carried.

Adjourn: 7:18 pm

Minutes respectfully submitted by:

Jodi Connally
Town Clerk

Katie Persons
Minute Taker