

REGULAR MEETING
BOLTON TOWN BOARD

September 7, 2021

Regular Meeting:

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

Meeting Call to Order: 6:00PM.

Pledge: Councilmember Coon

Minutes:

- Approve the August 3, 2021 regular Town Board Meeting Minutes.

RESOLUTION #181

Councilmember Coon moved, seconded by Councilmember MacEwan to approve the August 3, 2021 Regular Town Board Meeting Minutes. **All in Favor. Motion Carried.**

Public Hearings:

Public Hearing to approve the revision of Ordinance #38 “ORDINANCE FOR REGULATION OF PARKS AND BEACHES IN THE TOWN OF BOLTON, NEW YORK”

- Resolution to close the Public Hearing for Ordinance #38 of 2021

RESOLUTION #182

Councilmember Coon moved, seconded by Councilmember Cleavland to close the Public Hearing for Town Ordinance #38. **All in Favor. Motion Carried.**

- Resolution designation Bolton Town Board as lead agency.

RESOLUTION #183

Councilmember MacEwan moved, seconded by Councilmember Coon to declare the Bolton Town Board as Lead Agency under SEQRA & LWRP for amendment to Ordinance #38 of 2021. **All in Favor. Motion Carried.**

- Resolution regarding SEQRA & LWRP Determinations.

Councilmember Wilson asked the Board the following questions:

SEQRA

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

LWRP

Do any of the Board Members have concerns with any of the items listed in Part C., 1 through 3 of the LWRP Waterfront Assessment Form. No

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

- A. The Applicant’s SEQRA & LWRP submissions, and our analysis of the issues presented, demonstrates that there are no significant environmental impacts or concerns, and it is hereby determined that the action to be taken is consistent with the Town of Bolton Local Waterfront Revitalization Program policies and standards.
- 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.

RESOLUTION #184

Councilmember Wilson moved, seconded by Councilmember Cleavland to make a negative declaration

with regard to SEQRA & LWRP for amendment to Ordinance #38 of 2021. **All in Favor. Motion Carried.**

- Resolution to revise Ordinance #38.

Atty. Muller suggested that they add on page 14 in section D to read “No smoking or vaping shall be permitted at any Town Park, Town beach or on any Town property”.

RESOLUTION #185

Councilmember Wilson moved, seconded by Councilmember MacEwan having declared the Bolton Local Board of Health as Lead Agency, held a public hearing, made a Negative Declaration for the SEQRA Application and a positive determination of consistency for the LWRP Application to approve the amendments to Ordinance #38, which will include the amendment to page 14 in section D to read “No smoking or vaping shall be permitted at any Town Park, Town beach or on any Town property ”. **All in Favor. Motion Carried.**

Public Hearing:

Public Hearing to enact Local Law #3 of 2021 which shall provide that the Town of Bolton pursuant to the provision of the NYS MARIHUANA REGULATION AND TAXATION ACT (Cannabis Law) intends to “OPT OUT” from those provisions of law which permit establishment of retail cannabis dispensary license and/or on-site cannabis consumption licenses within the municipality.

- Resolution to close the Public Hearing.

RESOLUTION #186

Councilmember MacEwan moved, seconded by Councilmember Coon to close the Public Hearing for enactment of Local Law #3 of 2021. **All in Favor. Motion Carried.**

- Resolution establishing Town of Bolton as Lead Agency.

RESOLUTION #187

Councilmember Cleavland moved, seconded by Councilmember Coon to declare the Bolton Town Board as Lead Agency under SEQRA & LWRP for proposed Local Law #3 of 2021. **All in Favor. Motion Carried.**

- Resolution regarding SEQRA & LWRP Determinations.

Councilmember Wilson asked the Board the following questions:

SEQRA

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

LWRP

Do any of the Board Members have concerns with any of the items listed in Part C., 1 through 3 of the LWRP Waterfront Assessment Form. No

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

- A. The Applicant's SEQRA & LWRP submissions, and our analysis of the issues presented, demonstrates that there are no significant environmental impacts or concerns, and it is hereby determined that the action to be taken is consistent with the Town of Bolton Local Waterfront Revitalization Program policies and standards.
- 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.

RESOLUTION #188

Councilmember Wilson moved, seconded by Councilmember Coon to make a negative declaration with regard to SEQRA & LWRP for proposed Local Law #3 of 2021. **All in Favor. Motion Carried.**

Supervisor Conover explained that the Town of Bolton has the ability to opt back in at a later date if they choose to.

- Resolution for proposed Town of Bolton Local Law #3 of 2021.

RESOLUTION #189

Councilmember Wilson moved, seconded by Councilmember Cleavland having declared the Bolton Local Board of Health as Lead Agency, held a public hearing, made a Negative Declaration for the SEQRA Application and a positive determination of consistency for the LWRP Application to adopt Local Law #3 which shall provide that the Town of Bolton pursuant to the provision of the NYS MARIHUANA REGULATION AND TAXATION ACT (Cannabis Law) intends to “OPT OUT” from those provisions of law which permit establishment of retail cannabis dispensary license and/or on-site cannabis consumption licenses within the municipality. **All in Favor. Motion Carried.**

Public Hearing:

Public hearing for Local Law #1 of 2021 which will AMEND the definition of GUEST COTTAGE AND ADD a definition of DWELLING SHORT-TERM RENTAL to the Town of Bolton Zoning Code

Atty. Muller explained the change to the definition of a Guest Cottage in the code.

200-8 GUEST COTTAGE - An accessory structure that is incidental and subordinate to a principal detached single family residence situated on the same parcel. The Guest Cottage shall not exceed an area of Twelve Hundred and Fifty square feet (1,250 sq. ft.) in size *or one-half the square footage of the associated single-family dwelling, whichever is less*, and shall be designed and used to provide overnight accommodations for guests in association with the principal detached single family residence. Guest cottage accommodations may include a bathroom and a kitchen. No occupancy fee, rental charge or other consideration shall be imposed for the use or occupancy of a Guest Cottage. A Guest Cottage shall not qualify as a Short-Term Rental premises.

200-8 DWELLING, SHORT-TERM RENTAL A dwelling which may or may not be inhabited by the owner of record or members of the owner’s immediate family which is or is intended to be rented for residential purposes, in whole or in part, for an occupancy period of less than thirty (30) consecutive days to any person or entity and such operation is authorized by a valid permit issued by the Town of Bolton in accordance with Town of Bolton Ordinance #47 and rules and regulations promulgated in furtherance of such ordinance. It is intended that upon adoption of this local law it shall take effect pursuant to the requirements of law after filing with the New York State Secretary of State.

Bob Martin of 555 New Vermont Road asked if you could rent guest cottages as a short term rental. Supervisor Conover stated this definition establishes that guest cottages can be built, but they can only be built to certain specifications. Mr. Martin asked if existing guest cottages could still be rented as

short term rentals. Atty. Muller said the answer is no, Bolton has an ordinance that is one primary residence per parcel. He explained the definition of a guest cottage. He is aware that there are some existing lots with a primary and secondary residences that predate the code and have the required density. He explained that if this is the case, both of these homes would be eligible for short term rental. Mr. Martin said there are many parcels where retired people are counting on some income whether it qualifies or not. Supervisor Conover stated that the definition they are adopting is to bring the Town of Bolton into compliance with the Adirondack Park Agency's definition of a guest cottage. Atty. Muller is pointing out the difference between a guest cottages and residences. Mr. Martin said he was talking about existing structures, and how it will affect people.

- Resolution to close the Public Hearing.

RESOLUTION #190

Councilmember MacEwan moved, seconded by Councilmember Coon to close the Public Hearing for amendment to Local Law #1 of 2021. **All in Favor. Motion Carried.**

- Resolution establishing Town of Bolton as Lead Agency.

RESOLUTION #191

Councilmember Cleavland moved, seconded by Councilmember Coon to declare the Bolton Town Board as Lead Agency under SEQRA & LWRP for amendment to Local Law #1 of 2021. **All in Favor. Motion Carried.**

- Resolution regarding SEQRA & LWRP Determinations.

Councilmember Wilson asked the Board the following questions:

SEQRA

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

LWRP

Do any of the Board Members have concerns with any of the items listed in Part C., 1 through 3 of the LWRP Waterfront Assessment Form. No

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

- A. The Applicant’s SEQRA & LWRP submissions, and our analysis of the issues presented, demonstrates that there are no significant environmental impacts or concerns, and it is hereby determined that the action to be taken is consistent with the Town of Bolton Local Waterfront Revitalization Program policies and standards.
- 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.

RESOLUTION #192

Councilmember Wilson moved, seconded by Councilmember Cleavland to make a negative declaration with regard to SEQRA & LWRP for amendment to Local Law #1 of 2021. **All in Favor. Motion Carried.**

- Resolution to amend Town of Bolton Local Law #1 of 2021.

RESOLUTION #193

Councilmember Wilson moved, seconded by Councilmember MacEwan having declared the Bolton Local Board of Health as Lead Agency, held a public hearing, made a Negative Declaration for the SEQRA Application and a positive determination of consistency for the LWRP Application to adopt Local Law #1 of 2021 which will AMEND the definition of Guest Cottage and ADD a definition of Dwelling Short-Term Rental to the Town of Bolton Zoning Code. **All in Favor. Motion Carried.**

Convene as Town of Bolton Board of Health

RESOLUTION #194

Councilmember Cleavland moved, seconded by Councilmember MacEwan to convene as the Town of Bolton Board of Health. **All in Favor. Motion Carried.**

SEPTIC VARIANCE – HARRIS Parcel ID # 157.05-1-3 Locations: 35 & 37 Horicon Lane

- Parcel ID # 157.05-1-3 Property Location: 35 & 37 Horicon Lane represented by John Harris. In accordance with Resolution #186 set forth by the Town Board on September 1, 2009 Local Board of Health review is required. The following variance is sought for a shared septic and well system. The site consists of two three (3) bedroom homes that will be separated via an approved subdivision onto separate properties. Each house has a 1,000-gallon septic tank. They both feed to a shared pump station which pumps the effluent up to the shared absorption field. The absorption field is designed to handle the combined six (6) bedrooms. The system has been reviewed by Tom Hutchins of Hutchins Engineering and no problems with the existing system were noted.
 1. The shared well system is adequate for both houses and no problems were noted with this system.
 2. Easements and operational agreements for the septic and well systems will be added to each deed.

- Resolution to close the Public Hearing

RESOLUTION #195

Councilmember MacEwan moved, seconded by Councilmember Coon to close the Public Hearing. **All in Favor. Motion Carried.**

Mr. Harris presented the following:

- 50 years ago, they purchased the property with 2 other families.
- They have received the required approvals to subdivide the property.
- The properties have a shared septic system which is why they are here.
- They are seeking approval to continue using the existing, functioning septic system
- It passed the BSIP Inspection in May.
- Engineer Tom Hutchins also reviewed it to make sure the configuration would still work after subdividing the 2 properties, he determined that it was the right configuration for the property.
- Mr. Hutchins came out to look at the absorption field again, in response to a question from a Planning Board member to take a more in depth look at the absorption field and he found it to be in full working order.
- They are asking to continue to use this functioning septic system for the two properties.
- They have an iron clad operational agreement for the two properties to maintain the septic system.
- They are committed to having a working septic system.

Councilmember Cleavland stated she would like to see to see engineered drawings with the identification of wells and neighboring wells.

Mr. Harris stated they could speak to all this, and they did not create engineered drawings as it was a functioning existing system.

Tom Hutchins stated that he reviewed documentation that were made available and gave the Board the following information:

- The field is 150' +/- from the lake.
- The well is 20' +/- from the lake and 110' +/- from the field.
- It is a fill system constructed with granular fill.
- It has been there for some time.
- The system has been functioning
- It could function for some time, or it could fail next year.
- His opinion is that if he was replacing the wastewater system for these properties, he would likely locate the field in the same location.
- There are a number of options for the details on how to do this.
- The system as it is, has been functioning adequately.

Councilmember Cleavland inquired about the locations of other septic systems and wells. Mr. Hutchins stated he saw drawings of a site plan application of when the new homes were built.

Councilmember Wilson inquired about the distance of the tanks from the lake. Mr. Hutchins replied that the septic tanks were about 80' from the lake and the pump station was about 50'. Councilmember Wilson said this was some of the information they were lacking in the application.

Supervisor Conover stated he would feel much more comfortable if each of the units were operating through an enhanced treatment unit. Then, they would know that the effluent going to the field was of the highest quality. If the field needed upgrading in the future, it could be upgraded with a conventional field. Mr. Hutchins stated this was a unique situation and technically it could be replaced with a conventional system where they could meet the numbers.

Supervisor Conover stated he did not see any exploration of the field. Mr. Hutchins stated they dug pits by hand into good granular sand material, that was dry and well drained, which is what you want to see in an absorption field.

Councilmember Wilson stated that the Local Board of Health needed to see the placement of the wells before making a decision. She asked ZA Miller if he had asked for this information. Mr. Miller said he didn't think it was necessary and it had already been to the Zoning and Planning Boards. Atty. Muller stated that the Zoning and Planning Boards do not undertake septic issues that were to be addressed by the Local Board of Health.

Supervisor Conover said he did not have a problem with this in concept, but normally they require a certain level of information for making a decision of this importance. Mr. Harris explained his situation and that they have already been extended for some time past the timeline they were planning on. Councilmembers Cleavland and Wilson both stated they would like to see a plan showing all the required information. Supervisor Conover suggested the Board approve the plan contingent on engineered drawings satisfactory to the ZA and the installation of ETU's within 12 months. Mr. Hutchins stated that he would prefer not to be locked into one type of enhanced treatment. He asked if they could present a detailed plan showing where the required information was and come back. Mr. Harris stated he was concerned with taking out a functioning system and would prefer to come back next month with the engineered plans for this project.

RESOLUTION #196

Councilmember MacEwan moved, seconded by Councilmember Cleavland to table this application until next month for additional information. **All in Favor. Motion Carried.**

SEPTIC VARIANCE - SHAFFER – Parcel ID# 200.14-1-10 – Property Location: 155 Cotton Point Road. Parcel ID# 200.14-1-10 – Property Location: *Cabin #13*, 155 Cotton Point Road represented by Thom Hutchins, P.E. Replacement of the existing septic system with two 1,250 gallon holding tanks requiring the following variances:

Variance request is:

1. Installation of holding tanks.

- Resolution to close the Public Hearing

RESOLUTION #197

Councilmember Coon moved, seconded by Councilmember Cleavland to close the Public Hearing **All in Favor. Motion Carried.**

Engineer Tom Hutchins presented the following.

- This property is on Cotton Point Road and under contract for sale.
- Upon a BSIP inspection it was noted that the system was antiquated.
- He detailed the system on the plans to the Board.
- They would be using holding tanks.
- He believes this is the logical solution for this area.
- There is a 2 stage alarm system, water shutoff, warning level and shutoff level.
- They are holding tanks which will need to be pumped frequently.

Councilmember Cleavland asked if they would be removing the existing tanks and filling it in. Mr. Hutchins replied yes.

- Resolution designation Bolton Town Board as lead agency.

RESOLUTION #198

Councilmember MacEwan moved, seconded by Councilmember Coon to declare the Bolton Town Board as Lead Agency under SEQRA & LWRP for the proposed septic variances for SHAFFER – Parcel ID# 200.14-1-10 – Property Location: 155 Cotton Point Road. **All in Favor. Motion Carried.**

- Resolution regarding SEQRA & LWRP determinations.

SEQRA

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

LWRP

Do any of the Board Members have concerns with any of the items listed in Part C., 1 through 3 of the LWRP Waterfront Assessment Form. No

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

- A. The Applicant’s SEQRA & LWRP submissions, and our analysis of the issues presented, demonstrates that there are no significant environmental impacts or concerns, and it is hereby

determined that the action to be taken is consistent with the Town of Bolton Local Waterfront Revitalization Program policies and standards.

- 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.

RESOLUTION #199

Councilmember Wilson moved, seconded by Councilmember MacEwan to make a negative declaration with regard to SEQRA & LWRP for proposed septic variances SHAFFER – Parcel ID# 200.14-1-10 – Property Location: 155 Cotton Point Road. **All in Favor. Motion Carried.**

- Resolution for SHAFFER – Parcel ID# 200.14-1-10 – Property Location: 155 Cotton Point Road.

RESOLUTION #200

Councilmember Wilson moved, seconded by Councilmember Coon having declared the Bolton Local Board of Health as Lead Agency, held a public hearing, made a Negative Declaration for the SEQRA Application and a positive determination of consistency for the LWRP Application, make a motion to approve this variance for a septic system upgrade of the existing septic system with two 1,250 gallon holding tanks – for SHAFFER – Parcel ID# 200.14-1-10 – Property Location: 155 Cotton Point Road as approved by Town Engineer Richard Miller with the following condition: 1) It is built to the specification noted on the drawings. **All in Favor. Motion Carried.**

- Resolution to authorize the Supervisor to allow a well and septic system to be drilled on Parcel id# 171.19-1-73, pursuant to approval from the Town Attorney with regard to form and content.

Supervisor Conover stated that this was for a piece of property that did not have access to wastewater and water without crossing other properties. The applicants are looking to put in a well and compliant septic system. They understand they would still be required to pay the district fees for both departments. He explained that the Town has had other instances where this was needed.

Scott Somma stated there was an existing easement on the lot to come down Brook Street Extension to tie into Goodman Ave, but there was a concern with digging up the road. This would be a solution to the concern. Supervisor Conover asked about abandoning the easement if the septic and well were

approved. Mr. Somma stated he has an easement and if he is not allowed to use it, why should he relinquish it. His father gave a lot of land to the Town to gain that easement and he is not willing to relinquish this. Supervisor Conover stated that having a line coming down the road was not ideal for the Town or the property owner.

RESOLUTION #201

Councilmember MacEwan moved, seconded by Councilmember Coon to allow a well and septic system to be drilled on Parcel id# 171.19-1-73, pursuant to approval from the Town Attorney with regard to form and content. **All in Favor. Motion Carried.**

Reconvene as Bolton Town Board

RESOLUTION #202

Councilmember MacEwan moved, seconded by Councilmember Coon to reconvene as the Bolton Town Board. **All in Favor. Motion Carried.**

Public in Attendance:

- John Gaddy asked the Town Board to support the development of more sidewalks in the hamlet to the Huddle region to increase pedestrian safety and further the Town of Bolton's stated goal. He would like the Town Board to be in support of the Zoning and Planning Boards to require safe walkways and the responsibilities that go with it. *Supervisor Conover stated that this is overdue and that they could visit the codes and see what may be lacking in terms of communicating to property owners the development of sidewalks.* John Gaddy stated that they have to start somewhere.
- Francis Conroy of Wrights Farm Subdivision spoke on short term rentals and the problems surrounding them. He discussed many issues that neighborhoods face from the unpermitted short term rentals. He said he was here representing many people from town who feel the same way and he was speaking on their behalf too. It is not fair that commercial businesses have so many restrictions and many of the STR owners are disregarding many of the concerns that business owners have to maintain in order to stay in business. STR's are taxing the infrastructure of the town. He wants to see regulations put in place to regulate the STR's. *Supervisor Conover explained that they were looking to address some of these issues with proposed Ordinance #47 later in the meeting.*
- Amy Sibilla of The Anchorage inquired of sewage smells. *Supervisor Conover explained that there was a sewage treatment plant across from this subdivision.*
- Donald Kingsley of Edgecomb Pond Road spoke in regards to a letter he received from the Town

of Bolton requesting permission to come on to his property. He went through the history of his own and neighboring properties and stated that he has a neighbor who does not want him there. He spoke about DEC and Warren County Sheriff's being called to check his property due to complaints from his neighbor alleging he was running a business from his property. He spoke about a previous stop work order that was issued by the Town of Bolton on another property he owned. He cited the letter he received by the Town requesting permission to access his property. He stated that there is no way he is giving Mr. Miller permission to access his lot.

- Ralph Rivera of 733 Edgecomb Pond Road said he never had any problems with Mr. Kingsley previously but now they are running a business out of the property, and it is very disruptive to the neighborhood. He cited issues that he felt were a concern. He wants to know what the Board is going to do about this issue and if they have seen the photos and video he sent to the town. He feels like nothing is being done about their concerns. He is going to continue to pursue this issue until he feels it is properly addressed.

Correspondence:

- Tall Boys Hospitality LLC - Notification of filing of Application ABC Retail On-Premises Liquor License location: 4983 Lake Shore Drive.
- Santore's World Famous Fireworks, LLC – notification of display 8/14/2021 near the Lake George Club, 8/27/2021 and 9/5/2021 near the Sagamore resort.
- Mary Thurnau regarding notice of violation.
- LGPC regarding potential 5mph zone in Boon Bay.
- NYS DOT regarding herbicide applications. *Supervisor Conover thanked Chris Navitsky for helping to communicate the towns concerns with DOT.*
- Jeffrey Dickinson letter of resignation. *Accepted and filed.*
- Twin Rivers Council Good Scout Award Dinner Invitation.
- NYS Empire State Development regarding small business recovery grants.
- Rosemary Ulbricht thanking the Board for taking a measured approach to the sale of cannabis product.
- Norm and Roberta Crisp supporting the OPT OUT of permitting the sales of cannabis in the Town of Bolton.
- Bolton Free Library thank you for the second annual installment.
- Bolton Chamber Annual Auction Fundraiser.
- SUNY Adirondack Community Roots.

Committee Reports:

Councilmember Rob MacEwan

Justice Court:

- During the month of August 2021, Justice Edward G. White collected \$2,827.00 in fines and Justice Joe Connally collected \$7,168.00. Total monies forwarded to the Town of Bolton amounted to \$9,995.00. Itemized lists are available in the Court should anyone desire to look them over.

Transfer Station:

- Total for the month is \$11,691.00
- Spring cleanup cards is \$2,874.00

Recreation:

1. Recreation Center – July & August
 - A. Tentative reopening date of Monday September 13, 2021
 - B. The Warren County Youth Program application has been completed and submitted.
2. Winter Programs- NA
3. Summer Programs
 - A. Beaches:
 1. Both Beaches passed Department of Health inspections in July, with no violations being found at either beach.
 2. Water Sample results continue to show passing results.
 3. Due to inadequate staffing, Veteran’s Beach closed for the season on August 25 and Roger’s Beach closed on August 31.
 - B. DAY CAMP:
 1. 11 of the 15 individuals on the Day Camp waiting list were contacted and offered at least one week of enrollment in the Summer Day Camp. Despite lingering COVID restrictions, the campers have enjoyed local trips this summer to Up Yonda Farm, Community Center, Farmer’s Market, Stewarts, and swimming at Roger’s Park once/week. A magician, puppet show, and balloon creator were also able to visit at the Veteran’s Park camp location.
 2. The Day Camp passed a very thorough Department of Health inspection in July, with zero violations found.
4. Concert Series/Movie Nights- Aside from one rainy night in July, all events have been held outdoors with great attendance, and positive feedback in regard to the Roger’s Park renovations.
5. Community Boat Cruise: Looking into holding this event in the fall. More details to come.

Emergency Squad:

N/A

Councilmember Tim Coon

Wastewater:

- Total flow for the month 7,387,741 gallons for a daily average of 246,000 gallons.
- Casella hauled 88,000 gallons of sludge.
- We have maintained the grounds around the plant and stations.
- We have been assisting the water department with working weekends.
- We have cleaned several lines around town to prevent a plug.
- We installed a new 2” PVC chemical line to the clarifier so that we can add new chemicals to help prevent sludge from popping.
- We have cleaned the main pump station weekly from grease and rags.
- We have had multiple call ins from high water alarms and issues around town.
- We have had several odor complaints from the residents in Heritage Village.
- We have been working with Kathy Suozzo on the upcoming grant work and repair on the bio reactor.
- We had Slack Chemical do jar testing at the plant to help with floating sludge issues. We are going to be adding a new chemical to deal with the issues we are having all the time.
- We had our yearly boiler inspection, and everything is working as it should.

Water:

- The total flow to distribution for the month of August is 16,109,150 gallons. This is a daily average of 519,650.
- The monthly total coli-form tests were taken, TThm’s and Haa5’s [disinfection byproducts] tests were also taken according to the sampling schedule.
- Responded to several U.F.P.O. requests.
- Conducted all general maintenance and grounds work around plant and p.r.v. stations.
- Sold several new and replacement meters.
- All pumps and compressors at the water plant were serviced.
- Filter media core samples were taken to determine the depth of each of the three kinds of media in the filter units. It was determined both filter units were short in each media type. Priced and ordered media to replace the missing amount.
- On 8/22/21 the pond had an application of copper sulfate.
- Lead and copper samples were taken according to the sampling schedule.

- PFAS and 1,4 Dioxane samples were taken according to the sampling schedule.
- Aqualogics replaced malfunctioning control panel with a touch screen red lion controller on 8/30/21.
- Replaced the weakening magnetic drive pumps on the turbidity monitoring system with gear drive walchem IX pumps. Reconfigure the piping of the system to eliminate air that was getting into the monitoring system.

Assessor:

- The office is beginning to work on the 2022 assessment roll. There is a lot of talk with NYS ORPTS regarding equalization rates this year.
- Between July 1, 2020, and June 30, 2021, the office received 105 sales, 70 of which are home sales ranging from \$125,000. to \$3,490,000.
- Compared to last year: 58 sales; 48 of those were home sales ranging from \$58,000. To \$2,550,000.
- Senior (Aged) exemption renewals have been mailed.
- Christine participated in the only Small Claims Hearing this year, which was dismissed by the hearing officer.

Councilmember Susan Wilson

She would like the Board to look into the circumstances surrounding sidewalks, such as who would have the liability and responsibility of the maintenance of any sidewalks required by the Planning Board.

Councilmember Wanda Cleavland

Police:

- 58 patrol shifts, 307 reportable activities & 255 property checks.

Library:

N/A

Supervisor's Report:

- Deposits: \$ 1,403,901.94
- Disbursements: \$ 590,028.56
- Rogers Park is a big hit, a lot of excellent feedback.
- Pinnacle Parking well used, Bradley Trail open, visitor reaction terrific.
- Received resignation of our Water Plant Operator, making plans to hire and train new water plant employee. *Action to follow.*

- The Tentative 2022 budget presently underway.
- Warren County sales tax receipts continue to be higher year over year.

New Business:

- Resolution to authorize Town Counsel to represent The Town of Bolton and The Assessor of the Town of Bolton and the Board of Assessment Review for the Town of Bolton under Article 7 of the Real Property Tax Law for the following:
 - 1) Tax map # 200.10-1-1.1 Property owner: JTR Lake George LLC.
Property Address: 16 Basin Brook Road.
 - 2) Tax map # 186.07-1-6.2 Property owner: Kevin & Mary Beth Maschewski
Property Address: 4818 Lake Shore Drive.
 - 3) Tax map #213.17-1-35 Property owner: David C Tate & Christopher M Tate
Property Address: 3830 Lake Shore Drive.
 - 4) Tax map # 186.15-1-34 Property owner: Marcia P Metzger Lake George QPRT and Irving L Metzger Lake George QPRT Property address: 193 Homer Point Road.
 - 5) Tax map # 186.18-1-29 Property owner: Rainbow Beach Association.

RESOLUTION #203

Councilmember Coon moved, seconded by Councilmember MacEwan to authorize Town Counsel to represent The Town of Bolton and The Assessor of the Town of Bolton and the Board of Assessment Review for the Town of Bolton under Article 7 of the Real Property Tax Law for the following:

- 1) Tax map # 200.10-1-1.1 Property owner: JTR Lake George LLC.
Property Address: 16 Basin Brook Road.
- 2) Tax map # 186.07-1-6.2 Property owner: Kevin & Mary Beth Maschewski
Property Address: 4818 Lake Shore Drive.
- 3) Tax map #213.17-1-35 Property owner: David C Tate & Christopher M Tate
Property Address: 3830 Lake Shore Drive.
- 4) Tax map # 186.15-1-34 Property owner: Marcia P Metzger Lake George QPRT and Irving L Metzger Lake George QPRT Property address: 193 Homer Point Road.
- 5) Tax map # 186.18-1-29 Property owner: Rainbow Beach Association.

All in Favor. Motion Carried.

- Resolution to re-appoint Bruce Mowery on the Board of Assessment for a five year term beginning Oct 1,2021-Sept 30,2026.

RESOLUTION #204

Councilmember Cleavland moved, seconded by Councilmember MacEwan re-appoint Bruce Mowery on the Board of Assessment to a five-year term beginning Oct 1, 2021-Sept 30, 2026. **All in Favor. Motion Carried.**

- Resolution to declare the following vehicle and sander as surplus and authorize the Highway Superintendent to advertise a notice for bids on GovDeals auction site:
 - 1997 International Single Axel Dump Truck with vehicle identification #1HTGEAUR7VH455096.
 - 8-inch Fisher Poly Caster Sander.

RESOLUTION #205

Councilmember Coon moved, seconded by Councilmember Cleavland to declare the following vehicle and sander as surplus and authorize the Highway Superintendent to advertise a notice for bids on GovDeals auction site:

- 1997 International Single Axel Dump Truck with vehicle identification #1HTGEAUR7VH455096.
- 8-inch Fisher Poly Caster Sander. **All in Favor. Motion Carried.**

- Resolution regarding SEQRA & LWRP determinations regarding Ordinance #47.

Councilmember Cleavland asked the Board the following questions:

SEQRA

2. 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
4. Will the proposed action impact any of the items listed 1 through 11 in Part 2 of the SEQRA Form? No
5. 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

LWRP

Do any of the Board Members have concerns with any of the items listed in Part C., 1 through 3 of the LWRP Waterfront Assessment Form. No

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

- A. The Applicant's SEQRA & LWRP submissions, and our analysis of the issues presented, demonstrates that there are no significant environmental impacts or concerns, and it is hereby determined that the action to be taken is consistent with the Town of Bolton Local Waterfront Revitalization Program policies and standards.
- 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.

RESOLUTION #206

Councilmember Wilson moved, seconded by Councilmember Cleavland to make a negative declaration with regard to SEQRA & LWRP for proposed Ordinance #47. **All in Favor. Motion Carried.**

- Resolution regarding proposed Town Ordinance #47 which is a proposal to regulate residential short term (less than thirty (30) days) rental occupancies in the town.

RESOLUTION #207

Councilmember Wilson moved, seconded by Councilmember MacEwan to having declared the Bolton Local Board of Health as Lead Agency, held a public hearing, made a Negative Declaration for the SEQRA Application and a Positive Determination of consistency for the LWRP Application to adopt Ordinance #47 effective January 1, 2022. **All in Favor. Motion Carried.**

- Resolution to authorize the Supervisor to enter into an agreement with Frank Parillo for a new fence at Rogers Park.

Supervisor Conover explained that Mr. Parillo stopped by and stated he would replace the fence with a new one if the Town will remove the existing fence and he would like to take Mr. Parillo up on the offer.

RESOLUTION #208

Councilmember Coon moved, seconded by Councilmember Cleavland to authorize the Supervisor to enter into an agreement with Frank Parillo for a new fence on the north side of Rogers Park subject to approval of the Town Attorney. **All in Favor. Motion Carried.**

- Resolution to authorize the Supervisor to take such actions that are necessary and to enter into such contracts as necessary to ensure compliance for the Water Plant and Distribution System.

RESOLUTION #209

Councilmember Coon moved, seconded by Councilmember MacEwan to authorize the Supervisor to take such actions that are necessary and to enter into such contracts as necessary to ensure compliance for the Water Plant and Distribution System. **All in Favor. Motion Carried.**

Public in Attendance:

RESOLUTION #210

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

TRANSFERS FOR SEPTEMBER 2021

To	From	Amount
<u>GENERAL:</u>		
1440.4 Professional Services	3120.1 Police/Constable PS	\$1,114.00
1940.4 Land Lease Agreement	1990.4 Contingency	\$13,221.00
7150.4 Spec Facilities Cons Park	1990.4 Contingency	\$2,500.00
<u>HIGHWAY:</u>		
5110.2 Storm Damage EQ	5110.1 General Repairs PS	\$8,747.00
<u>WATER:</u>		
8310.2 Administration EQ	8310.1 Administration PS	\$2,566.00
<u>SEWER:</u>		
8120.4 Sanitary Sewers CE	8110.1 Administration PS	\$7,550.00

RESOLUTION #211

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

Pay the Bills:

	Vouchers	Amount
Abstract 8A		
General	1153-1194	4,221.07
Sewer	260-269	3,230.42
Water	203-206	1,374.34
St Lights	34-37	422.73
Abstract 9		
General	1038-1152 1195-1221	79,200.86
Highway	295-330	58,556.75
Sewer	241-259 270-279	27,763.27
Water	180-202 207-220	28,188.14
Tourism	28-29	2,279.41
Sewer Improve	14-16	2,880.00
Rogers Park Phase 4	13	116.84
Rogers Park Phase 5	11-12	730.64
St Lights	38	710.48

Adjourn:

RESOLUTION #212

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

Adjourn: 8:12

Minutes respectfully submitted by:

Jodi Petteys
Town Clerk

Katie Persons
Minute Taker