

REGULAR MEETING
BOLTON TOWN BOARD

November 1, 2022

Regular Meeting:

Supervisor: Ronald Conover
Councilman: Robert MacEwan
Councilman: Brendan Murnane
Councilmember: Wanda P. Cleavland
Councilmember: Susan Wilson
Town Clerk: Jodi Petteys
Counsel: Atty. Brian Reichenbach

Meeting Call to Order: 6:00PM.

Pledge: Councilmember Wilson

Minutes:

- Approve the October 4, 2022 Regular Town Board Meeting Minutes.

RESOLUTION #221

Councilmember Cleavland moved, seconded by Councilmember Wilson to approve the October 4, 2022 Regular Town Board Meeting Minutes. **All in Favor. Motion Carried.**

Public Hearings:

- Public Hearing regarding 2023 Town Budget.

RESOLUTION #222

Councilmember Murnane moved, seconded by Councilmember MacEwan to close the Public Hearing regarding 2023 Town Budget. **All in Favor. Motion Carried.**

- Resolution regarding 2023 Town Budget.

RESOLUTION #223

Councilmember Cleavland moved, seconded by Councilmember Murnane to adopt the 2023 Town of Bolton Budget. **All in Favor. Motion Carried.**

Convene as Bolton Water District

RESOLUTION #224

Councilmember MacEwan moved, seconded by Councilmember Wilson to convene as the Bolton Water District. All in Favor. Motion Carried.

Public Hearing regarding 2023 Water District Budget.

Zandy Gabriels spoke about the need for unmetered water reports and revenues generated for water and sewer.

RESOLUTION #225

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

- Resolution regarding 2023 Water District budget and rate schedule.

RESOLUTION #226

Councilmember MacEwan moved, seconded by Councilmember Cleavland to adopt the Water District Budget & Water Rate Schedule for 2023 (beginning January billing period 2023). All in Favor. Motion Carried.

- Resolution authorizing the re-levy of the outstanding 2022 receivables in the Town of Bolton Water District on the 2023 Warren County tax bills in the amount of \$33,373.60.

RESOLUTION #227

Councilmember Cleavland moved, seconded by Councilmember Murnane to authorize the re-levy of the outstanding 2022 receivables in the Town of Bolton Water District on the 2023 Warren County tax bills in the amount of \$33,373.60. All in Favor. Motion Carried.

Convene as the Bolton Sewer District

RESOLUTION #228

Councilmember Wilson moved, seconded by Councilmember Murnane to convene as the Bolton Sewer District. **All in Favor. Motion Carried.**

Public Hearing regarding 2023 Sewer Budget.

RESOLUTION #229

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

- Resolution regarding 2023 Sewer District budget and rate schedule.

RESOLUTION #230

Councilmember Cleavland moved, seconded by Councilmember Murnane to adopt the Sewer District Budget & Sewer Rate Schedule for 2023 (beginning January billing period 2023). **All in Favor. Motion Carried.**

- Resolution authorizing the re-levy of outstanding 2022 receivables in the Town of Bolton Sewer district on the 2023 Warren County tax bills in the amount of \$16,680.27.

RESOLUTION #231

Councilmember Murnane moved, seconded by Councilmember MacEwan to authorize the re-levy of outstanding 2022 receivables in the Town of Bolton Sewer district on the 2023 Warren County tax bills in the amount of \$16,680.27. **All in Favor. Motion Carried.**

Reconvene as Bolton Town Board

RESOLUTION #232

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

Public in Attendance:

Michelle Meyers of 118 Retreat Rd. spoke in regard to her concerns about an easement issue with a neighbor. Supervisor Conover stated that he would have Atty. Reichenbach take a look at the issue and determine whether this was a civil issue or if the municipality would be involved. She also spoke on a stormwater trench and what she believed was unpermitted building on the neighboring property. Supervisor Conover stated he would have the Planning & Zoning Department look at her concerns along

with Atty. Reichenbach.

Zandy Gabriels stated that he would like a listing of the number of water district and sewer district customers. He asked about the major water leak that they found. Supervisor Conover said it was a major water leak and they would know more about the true number of gallons after some time to compare the data. Supervisor Conover stated that a new meter had been placed on the outflow from the clear well which is giving them information on the outflow which they can now compare to the historical calculations from the plant. This will give them a record of the gallons per minute which over time will give them a more precise record. Mr. Gabriels stated that it would certainly be more precise than the first 20 years.

Megan Baker complimented the new bridge on Horicon. She asked about a possible dog park in the town. Supervisor Conover said they will be asking the consultants to look into the feasibility of this at some point. She expressed her concerns about the frequent firework displays at the Sagamore. She asked the Board to look into this as having them so late on school nights is not a good thing. She stated the Bolton Free Library was having many renovations done this fall.

Correspondence:

- Canoe Island Lodge Lake George LLC application with note requesting waiver of 30 day waiting period for liquor license application.
- Santore's World Famous Fireworks.
- Bolton Chamber of Commerce executive director Elaine Chiovarou-Brown regarding the 2023 Arts and Crafts Festivals.
- Town of Queensbury in regard to proposed Town of Queensbury Local Law.
- Med-Project for the disposal of household generated unwanted medication.
- LGCC 70th anniversary gala invitation.
- Bank of Green County regarding services they offer.
- NYS DOT annual CHIPS reimbursement allowance.
- NYS DEC regarding permit renewal.
- The Sembrich, thank you letter for Town of Bolton support to their Studio Centennial Preservation Project.
- Warren County Youth Bureau regarding state aid funding allocations.
- Bolton Chamber of Commerce regarding use of Rogers Park pier on Labor Day weekend 2023.

Committee Reports:

Councilmember Rob MacEwan

Highway:

N/A

Justice Court:

- During the month of October 2022, Justice Edward G. White collected \$4,216.00 in funds (check to Town of Bolton # 557) and Justice Joe Connally collected \$2,680.00 (check to Town of Bolton # 533). Total monies forwarded to the Town of Bolton amounted to \$6,896.00. Itemized lists are available in the Court should anyone desire to look them over.

Transfer Station:

N/A

Recreation:

N/A

Emergency Squad:

N/A

Councilmember Brendan Murnane

Wastewater:

- Total flow for the month 4,490,854 gallons for a daily average of 144,000 gallons.
- Casella hauled 8,000 gallons of sludge.
- Cleaned all tanks around sewer plant for annual cleaning and inspections.
- Matt has been assisting Water Department with water issues at plant and in the distribution system. Assisted with new hydrant repair by Mohican hill. They also located major water leak by Melody Manor.
- Cleaned all pump stations and inspected after busy summer.
- Maintained grounds around sewer plant and pump stations.
- On 10/28 I had an issue with the EQ tank auto control valve. I had Avanti Control assist with the issue. A pin fell out from the motor to the valve stem not allowing the valve to work. We fixed the issue and is working great.
- Matt has been assisting the Water and Parks depts. with the removal of sludge from the drying beds at water dept.
- They have been doing maintenance on the pumps at the plant and making sure everything is working properly.

Water:

- The monthly total coliform tests were taken according to the sampling schedule.
- The monthly Total Organic Carbon tests were taken in accordance with DOH regulations and sampling schedule.
- Gathered final readings for multiple properties that were sold.
- Conducted general maintenance and grounds work around the plant and P.R.V. stations.
- Sold several Neptune radial meters to replace non-working meters.
- Read water meters throughout the month.
- Responded to several Dig Safe requests.
- 10/03 Replaced fire hydrant on the corner of Mohican rd. and 9N.
- 10/07 Kathy and Sean arrived to monitor the revisor level.
- 10/11 Overnight valve shut off to find the leak.
- 10/17 Patrick Casey started as a water operator trainee.
- 10/18 Morris from Rural Water came to help with leak detection.
- 10/20 George started to pump beds in prep to remove material from drying beds.
- 10/20 Overnight valve shut off to find the leak.
- 10/24 Ross Valve came to monitor Potter Hill PRV while we turned off valves in order to locate the leak. We found an abandoned 4" line in Melody Manor that was leaking roughly 120-140 GPM. This was not noticeable due to the leak flowing into the brook that splits Melody Manor and Becker's.
- 10/25 Seaway Diving did an inspection and measurements of intake and wet well.
- 10/29 23 Sweet Briar, leak at curb stop.

Assessor:

N/A

Councilmember Susan Wilson

Planning / Zoning:

- The Planning Office for the month of September collected fees in the amount of \$775.00 for various items including Certificates of Compliance, Variances, Site Plan Reviews, Stormwater Permits and After the Fact Fees.

Library:

N/A

Councilmember Wanda Cleavland

Police:

- 31 patrol shifts, 197 reportable activities & 150 property checks.
- The police department's work on the Lexipol Policy and Procedure Manual is continuing with weekly meetings with Lexipol staff. Sgt. Webster attended a Lexipol training video conference on the use of the Lexipol KMS System
- The police department participated in a Bolton Central School lock down drill along with the Warren County Sheriff's office, and the New York State Police. These drills are crucial for the protection of students, staff members, and first responders. We also provided a presence at the school's soccer playoff games.
- Our work is continuing with the Town of Bolton Code Enforcement Officer on areas of mutual concern that effect public health and safety.
- We participated in the Warren County Up Yonda Farm Trunk or Treat event that was held on October 29th. Special thanks to the staff in the Clerk's Office for the preparation and assistance in decorating the police vehicle.
- Progress has been made in the Town of Bolton/Warren County Communications radio tower installation process. Adirondack Park Agency Jurisdictional Inquiry forms and Local Government Notice forms have been filed. Bolton Zoning Administrator Westfall has researched the proposal and is working with Warren County on the permitting process.
- It was a very busy month with numerous new projects in various stages of completion that include:
 - A preliminary grant application for (BWC) Body Worn Cameras for the police department.
 - An application with MED Project NY to host an unwanted medication disposal kiosk at Town Hall. The kiosk, its installation, and the disposal of the unwanted medication will be cost free to the town.
 - We have received an updated Automated External Defibrillator (AED) from the Warren County Sheriff's office for use in our patrol vehicles.
 - Two officers completed their yearly firearms qualification at the Warren County Sheriff's shooting range. Special thanks to Range Instructor Jeremy Coon for assisting us.
 - A video recording system was installed in the police office as it is required when engaging in criminal interviews of suspects.
 - And finally, the police department is sponsoring a Narcan training event on Friday, November 04th at 10:00am at town hall for town employees. The training will teach the signs and symptoms of an opioid overdose and how to respond with the lifesaving medication.

Town Clerk:

- Total State, County & Local Revenues: \$10,472.00

- Total Local Shares Remitted: \$ 9454.05
- Total Non-Local Revenues: \$1017.95

Supervisor's Report:

- Deposits: \$ 136,521.35
- Disbursements: \$ 484,202.60
- Museum roof project nearing completion; looks very good.
- Major water loss we have been tracking for some time has been found and corrected.
- Water system emergency backup plan and project being developed by our engineers and staff.

Supervisor Conover submitted the following report for the 2023 Budget:

I am pleased to report that the 2023 Bolton Town Budget maintains the Town of Bolton property tax levy unchanged at \$851,890. The amount to be raised by taxes is Townwide Highway \$377,950. Lighting District at \$31,000 and EMS at \$442,940. Taken together our total town tax levy is unchanged from last year and as usual we continue to be well below the property tax cap.

As many of you know, earlier this year the Town Board established an EMS Tax District. Going forward the cost of EMS will be reflected as its own district fund in the annual budget. In addition, it will also be reflected as its own line item on every property taxpayer's annual tax bill.

The Town General Fund Appropriation for 2023 is \$3,818,182. This is down from the 2022 appropriation of \$3,990,497.

The Highway Fund appropriation for 2023 is \$1,830,035. This is up slightly from last year's appropriation of \$1,787,655.

Our Lighting District appropriation for 2023 is \$31,000, unchanged from 2022.

EMS appropriation for 2022 was \$327,674 and is budgeted at \$442,940 for 2023.

The Town of Bolton Water District Budget appropriation for 2023 is \$547,214 and our Sewer District appropriation is \$453,348. The cost for the delivery of services and the overall cost of operations and improvement continues to rise placing continued demands on our operations. The revenue from leasing special district properties to the Town has been most helpful to our operating budgets and whenever possible we will continue to seek grant assistance to assist with major upgrades. The only changes to our 2023 rate schedule are an adjustment of .25 cents per thousand for use between 50,001 and 150,000 gallons per quarter and an adjustment of .25 cents per thousand for use above 150,00 gallons per quarter. Sewer rates are unchanged for 2023. The average minimum quarterly use water bill for our customer remains at \$99.50 and the average minimum quarterly use charge for our sewer customer is \$109.85.

Overall, I believe the Town Board has prepared a solid 2023 Budget. We have incorporated very conservative revenue projections and a responsible expenditure plan. It is an expenditure plan that provides the level of service residents expect, supports our community organizations, contributes to the protection of Lake George, upgrades our infrastructure, protects our residents and visitors, and replaces aged vehicles and equipment, as a few examples. As always, we will keep a very watchful eye on all revenue and expenditure line items as we finish 2022 and move into 2023. The Town of Bolton continues to be in excellent financial shape.

A special thanks to Town of Bolton Bookkeeper Mariann Roberts Huck for her excellent work and assistance in the preparation of the 2023 Town of Bolton Budget. During our budget workshop the Town Board completed a line-by-line review of the Tentative 2023 Town Budget. It is very much a team effort. As always, my thanks to the Town Departments and our employees for their excellent work and dedication to our community.

New Business:

- Resolution to ratify the Supervisor to enter into an agreement with Seaway Diving & Salvage Co. in an amount not to exceed \$4,580.00.

Supervisor Conover explained that a dive team had been brought in to clean and inspect the intake line and wet well associated with the water plant. They also wanted to evaluate that the numbers were accurate in the wet well so any analysis for available water and/or pumping was correct.

RESOLUTION #233

Councilmember Murnane moved, seconded by Councilmember MacEwan to ratify the Supervisor to enter into an agreement with Seaway Diving & Salvage Co. in an amount not to exceed \$4,580.00. **All in Favor. Motion Carried.**

- Resolution to ratify the Supervisor to enter into an intermunicipal agreement with Warren County relating to hauling services, solid waste and recycling disposal.

Supervisor Conover explained that this was the final year of the present contract, and they are thankful to the County for providing this service.

RESOLUTION #234

Councilmember Wilson moved, seconded by Councilmember Murnane to ratify the Supervisor to enter into an intermunicipal agreement with Warren County relating to hauling services, solid waste and recycling disposal. **All in Favor. Motion Carried.**

- Resolution to ratify authorizing the Supervisor to approve the waiver of the 30-day advance notice to the municipality for a liquor license application for Canoe Island Lodge LLC.

RESOLUTION #235

Councilmember Wilson moved, seconded by Councilmember MacEwan to ratify the Supervisor to approve the waiver of the 30-day advance notice to the municipality for a liquor license application for Canoe Island Lodge LLC. **All in Favor. Motion Carried.**

- Resolution to authorize seasonal road closing for the Town of Bolton as follows: Notice is hereby given that the Water Plant Road from the Susan Huck property to Potter Hill Road and Pandanarum Road from Comstock Road to Wardsboro Road will not be maintained by the Town of Bolton Highway Department effective December 1, 2022 through April 1, 2023, and that the Town Clerk be authorized to place a public notice to this affect.

RESOLUTION #236

Councilmember Cleavland moved, seconded by Councilmember Murnane to authorize seasonal road closing for the Town of Bolton as follows: Notice is hereby given that the Water Plant Road from the Susan Huck property to Potter Hill Road and Pandanarum Road from Comstock Road to Wardsboro Road will not be maintained by the Town of Bolton Highway Department effective December 1, 2022 through April 1, 2023, and that the Town Clerk be authorized to place a public notice to this affect. **All in Favor. Motion Carried.**

- Resolution to approve the use of the Cross Street parking lot, the area in front of the Town Hall and the area at the southwest rear corner of the Town Hall by the Bolton Chamber of Commerce on May 27 & 28, July 1 & 2, August 5 & 6, September 2 & 3, and October 7 & 8 from 10am until 5pm for the Bolton Arts & Crafts Festivals, with set-up to begin on Fridays at 4 PM.

RESOLUTION #237

Councilmember Wilson moved, seconded by Councilmember Murnane to approve the use of the Cross Street parking lot, the area in front of the Town Hall and the area at the southwest rear corner of the Town Hall by the Bolton Chamber of Commerce on May 27 & 28, July 1 & 2, August 5 & 6, September 2 & 3, and October 7 & 8 from 10am until 5pm for the Bolton Arts & Crafts Festivals, with set-up to begin on Fridays at 4 PM. **All in Favor. Motion Carried.**

- Resolution to schedule a Public Hearing at the December 6, 2022 Town Board meeting for Local Law #____ requiring prior written notification of defects in the Town of Bolton.

Atty. Reichenbach explained that many of the neighboring towns have a *Prior Notice Law* that provide that, before anyone can sue the municipality over a defect in a street, sidewalk or part of the public infrastructure they have to give a written notice of the defect with a reasonable opportunity to repair the defect. This assists the town in being able to address any claimed defect.

RESOLUTION #238

Councilmember Cleavland moved, seconded by Councilmember MacEwan to schedule a Public Hearing at the December 6, 2022 Town Board Meeting for Local Law #1 of 2022 requiring prior written notification of defects in the Town of Bolton. **All in Favor. Motion Carried.**

- Resolution ratifying the Supervisor to enter into a professional service contract with Kathleen Suozzo, P.E., PLLC for services relating to Edgecomb Pond and Town of Bolton Water Plant.

RESOLUTION #239

Councilmember Murnane moved, seconded by Councilmember Wilson to ratify authorization to the Supervisor to enter into a professional service contract with Kathleen Suozzo, P.E., PLLC for services relating to Edgecomb Pond and Town of Bolton Water Plant. **All in Favor. Motion Carried.**

- Resolution to adjust hourly rate of the Lead Wastewater Treatment Plant Operator position to \$29.87 per hour to take effect October 31, 2022.

RESOLUTION #240

Councilmember Murnane moved, seconded by Councilmember MacEwan to adjust hourly rate of the Lead Wastewater Treatment Plant Operator position to \$29.87 per hour to take effect October 31, 2022. **All in Favor. Motion Carried.**

- Resolution to authorize the Bolton Chamber of Commerce to host the Labor Day Celebration in Rogers Park on September 3, 2023, with live music from 5PM to 8PM on the Rogers Park pier.

RESOLUTION #241

Councilmember Cleavland moved, seconded by Councilmember Murnane to authorize the Bolton

Chamber of Commerce to host the Labor Day Celebration in Rogers Park on September 3, 2023, with live music from 5PM to 8PM on the Rogers Park pier. **All in Favor. Motion Carried.**

- Resolution to approve the use of Veterans Park for the annual BCS PTO Turkey Trot 5K Run on November 19, 2022 starting at 10:00am to 12:30pm.

RESOLUTION #242

Councilmember MacEwan moved, seconded by Councilmember Murnane to approve the use of Veterans Park for the annual BCS PTO Turkey Trot 5K Run on November 19, 2022 starting at 10:00am to 12:30pm. **All in Favor. Motion Carried.**

- Resolution to authorize the addition of Dustin Lewis to the policy of the Town of Bolton for quarterly reimbursement at a rate of \$75 per month for personal cell phone use relating to the conduct of official town business effective November 1st, 2022.

RESOLUTION #243

Councilmember Cleavland moved, seconded by Councilmember Wilson to authorize the addition of Dustin Lewis to the policy of the Town of Bolton for quarterly reimbursement at a rate of \$75 per month for personal cell phone use relating to the conduct of official town business effective November 1st, 2022. **All in Favor. Motion Carried.**

Public in Attendance:

RESOLUTION #244

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

ADDITIONAL TRANSFERS FOR OCTOBER 2022

To	From	Amount
<u>GENERAL:</u> 7450.4 Museum CE	7510.4 Historian CE	\$251.00
<u>WATER:</u> 8310.4 Administration CE	8310.2 Administration EQ	\$110.00

SEWER:

8110.4 Administration CE	8110.1 Administration PS	\$92.00
8120.4 Sanitary Sewers CE	1950.4 Judgments/Claims CE	\$1,061.00

TRANSFERS FOR NOVEMBER 2022

GENERAL:

1620.2 Buildings/Grounds EQ	1990.4 Contingency	\$28,500.00
5650.4 Off St Parking CE	7550.4 Celebrations CE	\$580.00
7150.4 Conservation Club CE	7140.1 Playgrounds/Rec PS	\$5,221.00
7450.4 Museum CE	1620.4 Buildings/Grounds CE	\$2,000.00
8510.1 Comm Beautification PS	8810.4 Cemeteries CE	\$3,000.00
8510.2 Comm Beautification EQ	5182.4 Street Lights CE	\$14.00
8510.4 Comm Beautification CE	5182.4 Street Lights CE	\$3,064.00
9030.8 Social Security/Town Share	9060.8 Medical Ins/Town Share	\$9,000.00

HIGHWAY:

5110.4 General Repairs CE	5112.2 Permanent Imps EQ	\$25,410.00
5130.4 Machinery EQ	5120.4 Bridges/Culverts CE	\$19,863.00
5142.1 Snow Removal PS	1440.4 Professional Services	\$4,000.00
5142.4 Snow Removal CE	5148.1 Serv Other Govts PS	\$5,550.00

WATER:

1440.4 Professional Services	9789.7 Loan Payment Int	\$3,450.00
8310.4 Administration CE	9789.7 Loan Payment Int	\$15,000.00
8330.4 Purification CE	9789.7 Loan Payment Int	\$1,425.00
8340.2 Trans/Dist EQ	9789.7 Loan Payment Int	\$2,227.00
8340.4 Trans/Dist CE	9789.7 Loan Payment Int	\$7,043.00

SEWER:

8110.4 Administration CE	9789.7 Loan Payment Int	\$1,348.00
8120.4 Sanitary Sewers CE	8110.1 Administration PS	\$1,061.00
8130.4 Treat/Disposal CE	Fund Balance	\$13,000.00

ADDITIONAL TRANSFERS:

\$10,000.00 to be transferred to Sewer Plant Improvement Projects Account from Sewer District.

RESOLUTION #245

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

Pay the Bills:

Abstract 10A

General	1598-1640	7,310.40
Sewer	308-314	1,152.85
Water	252-255	1,300.90
St Lights	44-47	498.74

Abstract 11

General	1514-1597 1641-1666	91,894.28
Highway	328-361	77,949.51
Sewer	292-307 315-317	12,040.10
Water	232-251 256-260	28,018.02
B&G Building Project	10	640.00
Sewer Infiltration/Bioreactor Proj	10-11	2,080.00
Water Improve	5	2,250.00

Adjourn

RESOLUTION #246

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

Meeting Adjourned: 7:02

Minutes respectfully submitted by:

Jodi Petteys
Town Clerk

Katie Persons
Minute Taker