

REGULAR MEETING  
BOLTON TOWN BOARD

May 3, 2016

Regular Meeting:

Supervisor: Ronald Conover  
Councilman: Robert MacEwan  
Councilman: Tim Coon  
Councilmember: Cheryl Bolton  
Councilmember: Susan Wilson  
Town Clerk: Jodi Connally  
Counsel: Michael Muller

Meeting Call to Order: 6:30 pm.

Pledge: Sue Wilson

Please remain standing for a moment of silence for Kathleen Mikoloski, and Rita Monroe.

Minutes: Approve Minutes of Regular Town Board Meeting held April 5, 2016

**RESOLUTION #103**

Councilmember Coon moved, seconded by Councilmember MacEwan to approve the minutes of the Regular Town Board Meeting of April 5, 2016. All in Favor. Motion Carried.

- Motion to convene as the Town of Bolton Local Board of Health.

**RESOLUTION #104**

Councilmember Wilson moved, seconded by Councilmember Coon to convene as the Town of Bolton, Local Board of Health. All in Favor. Motion Carried.

Public Hearing regarding proposal improvements by Bruce Peters and Keri Shaver for Parcel ID: 186.15-1-12, 58 Treasure Point Road, Bolton Landing NY: 1) Phase 1: replacement of septic system with a septic holding tank; 2) Phase 2 installation of a Puraflo Fill System 1) Section 3.030 Horizontal Separation distance: 10' is required from the toe of slope of the fill and the property line, 3 feet is proposed between the toe of the slope and the right of way and 5.95 feet is proposed from the toe of the slope and the northeast property line; 2) Section 3.030 Horizontal Separation Distance: 200 feet is required between the toe of the slope of the fill and owner's potable well with 90.34 feet proposed; 3) Section 3.30 Horizontal separation distances 200 feet is required between the toe slope of the fill and Lake George with 101.28' is proposed.

Anthony DeFranco presented the following to the Board;

- This is a 4-bedroom house on a small .32-acre lot.
- The two drywells were failing.

- They plan on replacing them with two 1,250 gallon septic tanks.
- It is a very tight site.
- They will be using a Puraflo peat system.
- The footprint is 28' x 28'.
- Anything larger would infringe on property lines significantly more.
- They have held the separation distances to the neighboring property as best they could.
- Moving it could drastically impact the neighboring property.
- He detailed on the plans where and how they would be installing the system.
- They will be using low flow fixtures and a water supply shutoff valve.
- He detailed the filtration and alarm systems to be used.

Supervisor Conover read a letter of concerns regarding large trees on the property line from neighbor Ron Cording.

Supervisor Conover stated that any decision made by this Board tonight will not include the relocation of the accessory building. This will need to be permitted through the Zoning Office.

Mr. DeFranco stated that there definitely are mature trees on the property line and he did not believe that they would be damaging as many roots to the existing trees as they may think. He detailed the cutting they planned and stated that they will not be filling right up next to the trees. Without a doubt there will be some impact to the roots of these trees on this property, but they can't move this system as it will mess up the parking configuration.

Supervisor Conover stated he was happy that they were moving forward with the whole system and not phase it. Mr. DeFranco stated there is nothing else that will really fit on the property.

Supervisor Conover stated that the Town Engineer would like to be on site to lay eyes on the de-compaction process. Mr. DeFranco stated that it was a stipulation on the plans and he will keep the homeowners and contractors informed of this.

Supervisor Conover stated he saw an alarm system to cut off the water. Mr. DeFranco replied that there was and detailed how it would work.

Sue Wilson asked if there were any time frames between the two phases. Mr. DeFranco replied that there was not at this point, they would like to replace the whole system before summer.

Councilmember MacEwan asked if they had met all the requirements of the Town Engineer. Mr. DeFranco replied that they had and he detailed them to the Board.

Supervisor Conover asked if the trees in question were on the applicant's property or the neighbor's property. Mr. DeFranco replied that he was not sure but the majority of them were on the property line, he believes the Beech Tree in question is on the applicant's property line.

Ron Cording stated he was happy this system is being replaced with a highly regarded system. He stated that there is an iron stake that marks the property line and it starts on his property but is basically on the applicants. He said that the root system of the Beech Tree is all on the surface

and is not a deep rooted tree. He understands all the restraints, but all he is asking is for them to move the system over into compliance. Digging the 12” down to put in the bank run and gravel bed, makes this an 18” cut. He believes this is something they should consider. He handed out photos to the Board.

Mr. DeFranco detailed the only area they would be digging on the site plan and explained the cutting to the Board. He stated that they were not cutting that close to the tree. He stated that they could shift it, but it would impact the homeowner significantly.

Ron Cording stated that the point of the Beech Tree is that it is a high surface root system. They would be cutting the roots no matter what and suffocating them as they get closer to the tree. This is not a matter of where the cut is being made, it is also that you are piling dirt on the root system.

Supervisor Conover inquired whose property the base of the tree in question was on. Mr. Cording replied the applicants.

- Resolution establishing Bolton Town Board as Lead Agency for SEQRA.

#### **RESOLUTION #105**

Councilmember Wilson moved, seconded by Councilmember Bolton to declare the Bolton Town Board acting as the Board of Health as Lead Agency under SEQRA for the proposed Septic Variance for Bruce Peters and Keri Shaver. 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?
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.

**RESOLUTION #106**

Councilmember Wilson moved, seconded by Councilmember Coon to make a negative declaration with regard to SEQRA for the septic variance application for Bruce Peters and Keri Shaver for Parcel ID: 186.15-1-12, 58 Treasure Point Road. All in Favor. Motion Carried.

- Resolution regarding application by Bruce Peters and Keri Shaver for septic system improvements at 58 Treasure Point Road.

Having declared the Town of Bolton Local Board of Health as lead agency, held a public hearing and made a Negative Declaration for the SEQRA Application, I make a motion to approve this variance application for the septic system approved by Town Engineer Tom Nace with

**RESOLUTION #107**

Councilmember Wilson moved, seconded by Councilmember Bolton to approve the septic variances for Bruce Peters and Keri Shaver for Parcel ID: 186.15-1-12, 58 Treasure Point Road with the following conditions; 1) During the de-compaction process, Town Engineer, Tom Nace and Zoning Administrator, Pamela Kenyon are to be on-site. 2) There is to be no delay between the two phases of installation. 3) The applicant is to pay all fees incurred by the Town for the Town Engineer's services relating to this project. All in favor. Motion Carried.

- Motion to Reconvene as Bolton Town Board

**RESOLUTION #108**

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

Public Hearing regarding outdoor sound amplification permit by Robert O'Keefe for the Huddle Kitchen and Bar, 4947 Lake Shore Drive from May through November, outdoor radio dinner music during business hours 8am to 10pm.

- Resolution regarding outdoor sound amplification permit by Robert O'Keefe for the Huddle Kitchen and Bar Restaurant for outdoor music in dining area.

Councilmember MacEwan inquired if they had a decibel level for the music. Supervisor Conover stated that this type of music is really just background music.

**RESOLUTION #109**

Councilmember Bolton moved, seconded by Councilmember Coon to approve the sound amplification permit for Robert O'Keefe for the Huddle Kitchen and Bar, 4947 Lake Shore

Drive from May through November, outdoor radio dinner music during business hours 8am to 10pm. All in Favor. Motion Carried.

Public Hearing regarding outdoor sound amplification permit by Edward and Jennifer Foy for The Chateau on the Lake for May 27 for a wedding; June 18 for a wedding; July 4, 8, 14, 29, August 5, 11, 26, August 27<sup>th</sup> for a wedding; September 2, and September 30<sup>th</sup> for a rehearsal dinner, October 8, 9 (Wedding and rehearsal events 4pm to 10pm; Other music dates 6pm to 9pm).

Zandy Gabriels, stated the noise level from the Chateau floating across the bay last year worked very well and they hope that the applicant will conduct the music with the same degree of sensitivity this year.

Supervisor Conover read an e-mail letter requesting approval from Mr. & Mrs. Foy and an e-mail in opposition to the application from the McCleery's.

Councilmember Coon asked if the questions the McCleery's had inquired about had been discussed before. Councilmember MacEwan stated in the beginning.

Supervisor Conover stated that the Town does have a decibel meter and it was just recently re-calibrated. Councilmember Wilson stated they are only approving the dates in this application tonight, but that does not mean the applicant can't come back for other dates.

Councilmember MacEwan stated that the applicant has scaled back the dates from what they had initially asked for in the beginning and he believes they have been doing a good job with the music. He stated this is a resort town.

- Resolution regarding outdoor sound amplification permit by Edward and Jennifer Foy for The Chateau on the Lake.

### **RESOLUTION #110**

Councilmember Bolton moved, seconded by Councilmember MacEwan to approve the sound amplification permit for Edward and Jennifer Foy for The Chateau on the Lake for May 27 for a wedding; June 18 for a wedding; July 4, 8, 14, 29, August 5, 11, 26, August 27<sup>th</sup> for a wedding; September 2, and September 30<sup>th</sup> for a rehearsal dinner, October 8, 9 (Wedding and rehearsal events 4pm to 10pm; Other music dates 6pm to 9pm). All in Favor. Motion Carried.

Public Hearing regarding outdoor sound amplification permit by Michael Dorman, Capri Village 3926 Lake Shore Drive, Diamond Point NY, for Saturday June 4, 2016 from 4pm to 9pm inside a tent.

- Resolution regarding outdoor sound amplification permit by Michael Dorman for June 4<sup>th</sup> from 4pm to 9pm.

### **RESOLUTION #111**

Councilmember MacEwan moved, seconded by Councilmember Coon to approve the sound amplification permit for Michael Dorman, Capri Village 3926 Lake Shore Drive, Diamond Point NY, for Saturday June 4, 2016 from 4pm to 9pm inside a tent. All in Favor. Motion Carried.

Public Hearing regarding outdoor sound amplification permit by Jeff Strief, Happy Jacks, 4963 Lake Shore Drive, from May thru December 2016 for outdoor music 9:30am to 6:30pm, 10pm in the summer.

- Resolution regarding outdoor sound amplification permit by Jeff Strief for Happy Jacks.

### **RESOLUTION #112**

Councilmember Bolton moved, seconded by Councilmember Wilson to approve the sound amplification permit for Jeff Strief, Happy Jacks, 4963 Lake Shore Drive, from May thru December 2016 for outdoor music 9:30am to 6:30pm, 10pm in the summer. All in Favor. Motion Carried.

Public Hearing regarding outdoor sound amplification permit by Jeff Strief for Mrs. Whizzy-Fizz-Popps from May to October 2016 from 11am to 9pm daily (background music).

- Resolution regarding outdoor sound amplification permit by Jeff Strief for Mrs. Whizzy-Fizz-Popps (background music / low level).

### **RESOLUTION #113**

Councilmember Wilson moved, seconded by Councilmember MacEwan to approve the sound amplification permit for Jeff Strief for Mrs. Whizzy-Fizz-Popps from May to October 2016 from 11am to 9pm daily (background music). All in Favor. Motion Carried.

### **Public in Attendance:**

Tim Larson, The L.A. Group presented the following regarding park improvements to play surfaces;

- He handed out a document with the proposed designs to the Board.
- He stated they were retained to look at expanding the active recreation component at Veterans Park.
- He detailed the expansion and showed all the different options and schemes to the Board.
- His overall recommendation to the Board, is to first perform a Master Plan for the whole park before they move forward.

Councilmember MacEwan explained that this is not as simple as they first expected, they have more projects to be done at this site and it would prudent to do a Master Plan first. Mr. Larson stated that they could tape out pickle ball on the existing courts to see how much it would be utilized. Councilmember Wilson stated she has heard some people express that they would like to be able to have public pickle ball courts. Mr. Larson stated that it is in a larger ticket price range to do this now, which would not make much sense to make this kind of investment before looking to see what the overall plan for the park will be.

Supervisor Conover stated that a tennis court at Veterans would be much more efficient as this is where the summer programs take place for the town. Councilmember Wilson stated that it makes sense to do the Master Plan first and have public meetings to get input. Supervisor Conover stated it does not make sense to put these in at this time only to find they need to take them up after they do the Master Plan.

Zandy Gabriels gave his thoughts on the following items;

- Flint Michigan.
- Bolton's ability to treat for potential lead in the pipes with its filtration plant.
- DOH and the Town sampled 18 locations early on.
- Anti-corrosive chemicals have worked and now there are down 10 sample sites.
- He suggested that the town sample some additional locations besides the required locations throughout the town.
- He suggested the town get together with the School Board to identify any families and sample their homes for lead.
- He suggested that they should go back to sampling sites that they have not been doing any longer.

Code Enforcement:

- Update unsafe structure at parcel tax map #186.10-1-1 (see letter from Tom Nace, Town Engineer).

Correspondence:

- NYS DOH violation indicating failure to receive monthly operation report from Bolton Water (violation notice rescinded due to new system and tracking issue at DOH).
- Victoria Bova, Legal Instruments Examiner U.S. Army Corp of Engineers regarding contact person for Permit Application NO. NAN-2016-00503-UBR Town of Bolton.
- Michael Corso, Consumer Advocate and Director Office of Consumer Services regarding public informational session dates about the Clean Energy Standard program.
- Denise M. Wagner, Project Administrator APA regarding proposed dock improvements at Veterans Park indicating that it does not require a permit or variance from the APA.
- Michael Pratt requesting definite date when storm water work will be underway on New Vermont Road.
- Thomas Nace, P.E. regarding inspection of a small cabin on property at 3 Windy Lane and his opinion that the structure is unsafe.
- Copy of letter from Penelope Jewell representing the Bolton Landing Farmers' Market to Blessed Sacrament Church thanking them for hosting the market for the past 5 years.
- Brandi Bishop, Health Promotion Center Glens Falls Hospital regarding outdoor tobacco free recreation areas.
- Dawn Faller thanking the Town Board for its hard work and attention to detail and offering comments and expressing concerns regarding the Farmers Market.
- Walter Lender, LGA requesting support letter for 2016 Helen V. Froehlich Foundation Grant.

- Elaine Brown, Bolton Chamber letter of support for the Craft Fair locating at the parking lot south of the Bolton Fire Company.
- Ron Cording, 52 Treasure Point Road, regarding proposed sewer system improvements at 58 Treasure Point Road and its effect on adjacent trees and recommending the system be placed further away from the proposed location.
- Edward Foy regarding his inability to attend the Board meeting and requesting that his application for outdoor amplified noise be approved as submitted.
- Michael F. Morris, Capital Regional Representative Office of the Governor, regarding work shop on CFA Grants on May 2, 2016.

### **Committee Reports:**

#### **Councilmember Rob MacEwan**

##### Justice Court:

- During the month of April 2016, Judge Harry Demarest took in \$4,677.00 and Judge Edward Stewart took in \$3,688.00. Total monies forwarded to the Town of Bolton amounted to \$8,365.00. There are itemized lists located in the Court if anyone desires to look them over.

##### Animal Control:

- Miles patrolled 159.
- Lost dog on East Schroon River Rd.
- Dog at large on Main Street and Congers Point.
- Bear complaints on New Vermont Rd., Federal Hill Rd. and North Bolton Rd. – He is patrolling the areas in early morning and evenings.

##### Transfer Station:

- Total for the month: \$7,749.00.
- Spring clean-up cards \$2,846.00.
- Senior Citizen pickup is scheduled for May 16<sup>th</sup> & 17th.

#### **Councilmember Tim Coon**

##### Buildings & Grounds:

A few of the items they worked on were as follows:

- Opened bathrooms at Veterans & Rogers Parks.
- Spread 6 loads of sand at Rogers Park.
- Dug a trench for a power service line for the museum.
- Cleaned leaves at Federal Hill Cemetery.
- Cleaned leaves, fertilized and mulched the monument.
- Dug out stumps at Cross Street parking area.
- Put out all garbage cans and benches for the summer.
- Hauled 3 loads of rock and debris to sand pit.
- Cleaned and mowed the little league field.



Assessor:

- The Valuation process has been completed and the Tentative Roll was filed with the Town Clerk on May 2<sup>nd</sup>.
- Change notices are being mailed out this week.
- Sitting Days are being conducted and Grievance Day will be Thursday, May 26<sup>th</sup>.

Police:

- 50 patrol shifts, 381 recordable activities and 346 property checks.
- On 4/29 the annual Blue Friday event in honor of law enforcement officers killed in the line of duty, as well as those still serving, was held at various locations throughout the capital region. Chief Neumann represented the Bolton Police Department at the Saratoga location at the 99 Restaurant parking lot, joining numerous other representatives from many federal, state and local enforcement agencies.

**Councilmember Susan Wilson**

Planning/Zoning:

- Planning Office for the month March collected fees in the amount of \$668.75 for various items including Certificates of Compliance, Septic Permits, Variances, Site Plan Reviews, Stormwater Permits Subdivisions and Copies/Searches.

Code Enforcement:

- Submitted a 29-page report that details 6 site visits and activities accomplished during the month of April

Veterans' Memorial Wall

- In October, 2014 the Town Board established a permanent Bolton Veterans' Memorial Wall Committee to advise the Town Board regarding overall management of the Bolton Memorial Site including the screening and placement of qualified Veteran's names on the memorial. This committee has been writing an Operations Manual that includes a history for the site, updated criteria for name placement, development of an application and site maintenance procedures. They have also established a website that will soon be available to the all.
- Now the committee will be actively reaching out to the community to determine who else may be eligible to have their names added to the wall. Applications are available at the Town Clerks' office and will be available on the website. The committee will spend between now and Labor Day searching for those who are eligible and expect that the engraving will take place in early October.
- You will also be seeing activity at the site beginning next week when the statues and medallions undergo a restoration process. There is a Resolution further in the Agenda to retain the services of Beacon Fine Art Foundry to do the work that will take 4 or 5 days. During those days the people doing the work will be staying at Don Roessler's

Northwood Ho at no cost. Don was kind enough to donate his motel for their use and we appreciate his generosity. All we had to do was ask.

#### Library:

- The Library will be holding a Plant Sale on Memorial Day weekend and are looking for donations of plants and volunteers to work the sale between the hours of 9:00 am and 3:00 PM.
- On May 11<sup>th</sup> the Library Readings return which is always enjoyable. Kate VanDyck is helping Megan to coordinate the event and Sam Caldwell, Michelle Pollack, Willie B. and Skyler Scott have all agreed to do a reading.
- The Library will also be holding a series of musical performances. Scheduled to perform are Harold Shippey's band on May 18<sup>th</sup>, Bill Campbell on May 25<sup>th</sup> and Tom Brady on June 1<sup>st</sup>. All will be held at 7:00 PM at the library.
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#### Seniors:

- A copy of their April Newsletter is with me this evening, which is also available on the Town Website, that provides information about their trips and activities as well as valuable contact information for Seniors

### **Councilmember Cheryl Bolton**

#### Clerk's Office:

- Returned the Tax Roll to the County on April 8<sup>th</sup>.
- The office collected \$6,174,014.94 in Town and County property tax.
- Town Clerk attended a training conference in Saratoga Springs.
- Dog Licenses and renewals.
- Issued Fishing Licenses.
- Multiple copies and faxes.
- Notarized numerous documents.
- Prepared and entered invoices for payment.
- Balanced monthly abstracts.
- Ordered supplies for various departments.
- Sold \$2569.00 In landfill tickets at the counter.
- Deposited \$1968. from Landfill ticket sales sold at the Landfill.
- Deposited \$3712.00. From Landfill C&D sales sold at the Landfill.
- Balanced three monthly bank statements.
- \$150.00 in reservations at Community Center, inquiries and rentals picking up.

Councilmember Bolton commended the office on all the extra work they do in maintaining this calendar for the Community Center.

- Distributed 413 Spring Clean - Up Cards at the window.
- Issued numerous purchase orders.

- Deposited \$1725. In Recreation Program receipts.
- Have begun working on records retention in reference to the MU1.
- Fielded numerous phone calls regarding high chlorination in the water supply and again with the hydrant flushing.
- Worked with Supervisor's Office to alert residents with the Code Red system in reference to above.
- Prepared read sheets for the upcoming water billing cycle.

Councilmember Bolton stated this was a large undertaking for the office.

#### Sewer Department:

- The Plant took in 4,669,780 gallons of wastewater for a daily average of 155,659.
- Kenyon Pipeline Services cleaned, inspected and videoed 1,032 feet of collection lines.
- Changed a faulty float in the Reject water tank.
- Fixed broken air supply line that feeds the diffusers in the Equalization tank.
- Cleaned all pump stations and got 10 cubic feet of grit and grease.
- Helped flush fire hydrants.
- Helped with water emergency on 4-18-2016.
- Tom French attended a Traffic Control Plans class.
- On 4-7-2016 had alarms at all stations and plant for a power flux.
- Siewert Equipment did preventive maintenance on all pump stations. They found that the support claw on pump #1 at the Norowal pump station was worn and was preventing the pump from seating properly. Although we had a spare I had them order another spare to have on hand. When the parts were ordered it was further discovered that the pumps we have are discontinued and they are not making parts for that pump any longer. This is something to keep in mind moving forward. We did get 10 years out of the claws that were originally on the pumps but should plan on having to upgrade the pumps in the future.

#### Water Department

- In the month of April, the water plant has produced 7,249,500 gallons
- Monthly total coli-form tests were taken according to the sampling schedule and conducted nitrate, Primary Inorganic compound tests.
- Responded to several U.F.P.O. requests.
- Assisted in helping local plumbers find curb stops around town
- Assisted WWTP in cleaning and inspecting some of the sewer mains. Also assisted in cleaning of all stations and getting hands on training at Norowal pump station.
- Received and installed some new equipment at water plant.
- Installed radio read head on meter at 8 Heritage Village
- Turned water services on at ball field pit, American legion, Mr. Palazzo at north end bleeder, Twin Bay Village (lake side), Lower ball field at school, Bolton cemetery.

- Responded to an emergency call at 11 Parkview Dr. where contractor hit service line going to house. Quickly rectified the situation and fixed service line.
- On 4/14/2016 Maria from DOH was on site to receive and endorse Jeffery Dickinson and Dylan Reid's applications for New York state licenses to operate the water filtration plant. Maria also gave them final evolutions before endorsements and endorsed all mandatory licenses to operate filtration plant.
- Responded to emergency call at water plant on 4/18/2016 of high cl2 alarm. Upon entry we quickly noticed cl2 residual had elevated to over 5.0 mg/L. Personnel quickly rectified the situation by shutting off cl2 and opening the first 2 hydrants in the system. With the quick reaction we were able to contain the high residual to the upper part of the system. We tested several locations throughout the entire system to ensure no high residuals made it too far into the system. All high residual cl2 levels were contained to the area of the water filtration plant. As precaution we immediately issued a ban on usage of water to ensure everyone's safety. We ran the hydrants and turned on cl2 to minimal level until the residual was at 1.5mg/L. After all of the tests throughout the system were at acceptable levels, we removed the ban on usage of water.
- On 4/19/2016 received emergency call for high cl2 in clear well. Upon entry the cl2 level elevated to 2.0 mg/L. Quickly shut off filters and as we were turning off cl2 tanks we noticed the valve that feeds water to cl2 room had malfunctioned and remained stuck open which caused over siphon of cl2 gas into clear well. Quickly shut off water and replaced defective valve with new valve.
- With the emergency calls and keeping the 2 hydrants open for 2 days, later in the week we received dirty water calls. The dirty water calls were a result of disruption in the system from earlier in the week
- After both emergency calls and problems with cl2 gas. We have decided to switch over from gas chlorine to liquid chlorine. Gas chlorine poses extreme health hazards and is difficult to maintain/ control. The switch over has been endorsed by the DOH. The switch to liquid chlorine will not only be safer it will also be easier to control and maintain. The DOH is also very happy that we are making the switch to liquid. We have been in contact with Slack Chemical and Aqualogic to install all new equipment for the switch over. The switch over will be happening within the next couple weeks. We have also gone through precautions to have the programmer of our control board to install new alarms and safeties into the control board that will shut down the plant in the event of another high cl2 residual.
- With abnormally warm winter this year the pond has started turning over and algae bloom has come early. This is causing extreme fluxes in turbidity. With extreme fluxes in turbidity the plant needs to be constantly monitored to control the turbidity. The turbidity has been controlled and seems to be settling out for now.
- On 4/25/2016 we flushed all hydrants in a uni-directional flushing path. This path gets the most amount of sediment out of the system. This time flushing the hydrants did not

run as dirty for as long as they did last time. With our new flushing program doing this 2 times a year will ensure the dirty water will be removed from the system.

- Ross valve here on 4/26/2016 to do preventative maintenance on all of our PRV stations to ensure no dirt or anything got stuck in our valves and to ensure proper operation.
- Upon entry on 4/27/2016 we noticed that filter number 1 had been running but no water was entering the clear well, all water was running over into decant tank. Upon further investigation we found the actuator and the valve may be defective. The valve has possible super seated which causes the valve to stay closed. Immediately switch over from filter number 1 to number 2 and will rectifying the problem immediately.
- Both Jeff and Dylan with the assistance of Aimee have been reading meters and making good progress.

Supervisor Conover stated that was quick thinking on the part of the staff by opening the hydrants so quickly it prevented high levels of chlorine from entering into the district water supply. It is the recommendation of DOH and Cedarwood Engineering to move away from the gas chlorination system to a liquid chlorination system. Councilmember Bolton thanked the staff at the Town Hall in getting the message out to people as quickly as possible. She stated she did not think that they community realized that the chlorine was contained at the Water Plant.

Highway: A few of the items they worked on were as follows:

- Cut brush on dirt roads.
- Clean culverts and catch basins.
- Removed plows and wings from trucks.
- Work on ballfield repairs from winter.
- Haul 300 loads of topsoil to the ballfield.
- Repaired parking lot at the Pinnacle.
- Removed tree down on Potter Hill Rd.
- Blacktopped gutters on First Street and Frank Cameron Rd.
- Sweeping streets.

Supervisors Report:

- Receipts: \$29,534.42
- Disbursements: \$580,533.28
- Bolton sales tax receipts for 1<sup>st</sup> quarter were \$776,081.99 up \$9,821.75 from same period in 2015.
- Visitor Center Project on schedule, Museum Project a little behind schedule, both projects are on budget.
- Top soil delivered, grading, erosion blankets and hydro seed work for new ballfield to begin shortly.

Supervisor Conover stated it was great to see all the help the other towns were offering in assisting with the trucking of the top soil. He thanked Bill Sherman for all his efforts. He said Soil & Water will be seeding the whole area soon.

- Spring flushing of water system completed on Monday, April 25<sup>th</sup>.

- Design of upgrade to chlorination system at Water Plant underway, application and plans for upgrade have been prepared by Cedarwood Engineering and submitted to NYSDOH for approval.
- 26 smart growth grants applications received by NYSDEC they funded 6.

New Business

- Resolution approving request to utilize Rogers Park Docks for the Lake George Rendezvous by the Antique and Classic Boat Society Inc. on Friday, August 26, 2016.

**RESOLUTION #114**

Councilmember MacEwan moved, seconded by Councilmember Bolton to approve the request to utilize Rogers Park Docks for the Lake George Rendezvous by the Antique and Classic Boat Society Inc. on Friday, August 26, 2016. All in Favor. Motion Carried.

- Resolution establishing the rate of pay for all seasonal part-time / temporary laborers for the Town of Bolton to \$13.00 per hour.

Councilmember Bolton stated that this was discussed by the Board at an earlier date and this is only for seasonal part-time laborers.

**RESOLUTION #115**

Councilmember Bolton moved, seconded by Councilmember Wilson to establish the rate of pay for all seasonal part-time / temporary laborers for the Town of Bolton to \$13.00 per hour. All in Favor. Motion Carried.

- Resolution authorizing use of parking lot adjacent to Fire Company for use by the Bolton Craft Fair on May 28<sup>th</sup> & 29; July 2, 3, 4; August 13 & 14; September 3 & 4; October 8 & 9 including the Antique Show on July 29, 30, 31 (approval includes setup beginning in the early evening the day prior to each event start date).

Supervisor Conover stated this was a good location for the event, at least in the interim.

**RESOLUTION #116**

Councilmember Bolton moved, seconded by Councilmember Coon to authorize the use of parking lot adjacent to Fire Company for use by the Bolton Craft Fair on May 28<sup>th</sup> & 29; July 2, 3, 4; August 13 & 14; September 3 & 4; October 8 & 9 including the Antique Show on July 29, 30, 31 (approval includes setup beginning in the early evening the day prior to each event start date). All in Favor. Motion Carried.

- Resolution Pursuant to Ordinance #27

**RESOLUTION #117**

Councilmember Wilson moved, seconded by Councilmember Bolton **IT IS HEREBY RESOLVED** that upon consideration of the inspection report of Code Enforcement Officer Mitzi Nittmann, dated April 12, 2016, and the letter report of Nace Engineering P.C. dated April 18, 2016 wherein the reported findings and recommendations pertaining to the premises of Robert C. and Eleanor M. Principe (“Owners”), and Nesta Abich (“Reputed Occupant”), 3 Windy Lane, Town of Bolton, Warren County, New York, Tax Map Parcel 186.10-1-1, state that the cottage/cabin structure on the premises appears to be in a dilapidated and structurally unsound condition so as to constitute a public health hazard. And further, in the opinion of the town's consulting engineer, the structure "is unsafe, is not repairable and should be demolished".

Pursuant to the requirements and provisions of Town Ordinance #27, the Town Board for the Town of Bolton directs that:

1. A copy of this resolution shall be delivered to Robert C. and Eleanor M. Principe, and Nesta Abich, 331 Elmora Avenue Apt. 3J, Elizabeth, New Jersey, 07208 by both first class mail and registered/certified mail; and a copy of this resolution shall also be posted upon the subject premises; and such notice delivered to the owner as herein stated shall constitute and serve as evidence of the determination that the structure on the premises is dangerous and unsafe as defined by Town Ordinance #27.

2. The owner shall be required to take immediate action to demolish and properly remove construction and demolition debris to a lawful landfill or construction and demolition depository, and to restore the premises to a natural and safe grade (leaving no pits, holes, depressions, no partial foundation) in accordance with the requirements of Town Ordinance # 27.

3. The owner shall be afforded thirty (30) days as provided in Town Ordinance #27 to exercise his or her rights with respect to such determinations and to act upon the order of the Town Board.

4. Should the owner fail to act in compliance with the requirements of Town Ordinance #27, the Town of Bolton, by its Supervisor and agents shall proceed in accordance with the provisions of ordinance and state statutes to effectuate the demolition and removal of the unsafe structure.

5. The Town may also secure an order of the Supreme Court for the State of New York, Warren County, for the Town of Bolton to proceed to act in accordance with this resolution and by provisions of Town Ordinance #27, and the costs, expenses and disbursements in these proceedings, including the municipality's attorney's fees and the actual costs incurred in demolition and removal, shall constitute an appropriate charge and special assessment upon the property.

6. In addition to the provisions of Ordinance #27, the Supervisor for the Town of Bolton reserves all right, under the circumstances, to act with emergency powers provided by New York State statute, rules and regulations in these proceedings to protect the health, safety, general well-being and welfare of the citizens of the Town of Bolton by declaring an Executive Emergency power to abate or remove the structure as a health hazard and/or for the protection of public safety. All in Favor. Motion Carried.

- Resolution authorizing use of the Cross Street Parking Lot by the Farmers Market for 2016 every Friday 9 AM to 2 PM from June 24 to September 2, 2016 and be it further resolved that should the new parking lot not be completed the Town Board authorizes use of the northern section of the Town Hall Parking lot until such time as the Cross Street Lot is made available.

Penelope Jewel for the Bolton Landing Farmers Market showed the Board the site plan they had laid out for the contingency plan using the parking lot.

Councilmember Bolton asked if this included the list of vendors that were participating. Ms. Jewel replied yes, but that it was not the complete list.

Supervisor Conover stated they had the need for the alternate arrangement in the off chance that the new parking area is not ready to be utilized.

Councilmember Wilson stated that the Town's Open Container Ordinance indicates that they need permission from the Town Board for this to take place. She did not have a concern with the sale of the wine, but she did with the actual wine tasting itself. Ms. Jewel stated that to not have the wine tasting would make the vendors sales go down by half. Councilmember Wilson stated she could not support the tasting of the wine at this venue.

Supervisor Conover inquired about the vendors' insurances. Ms. Jewel stated that the vendor had to have them in hand or they would not be allowed to set up, and she could give the Board a copy of these. Councilmember Wilson stated she would expect nothing less from them and the Board expected copies of these insurance forms from all of the vendors with the Town of Bolton named on them as additional insured. Supervisor Conover agreed and stated he would like that.

Ms. Jewel stated she would like to clarify whether the Board was saying that all liquor samples would not be allowed. Councilmember Wilson stated she could not support sampling of any alcohol. Councilmember Bolton stated she shared that concern and the open container was an issue to her. She did not have an issue with selling it, but she did not support the sampling of it.

Supervisor Conover reiterated his thanks to the church in everything they have done to assist the Town and partnering with them for parking including all the help they gave the Farmers Market.

Dawn Faller questioned where the vendor vehicles were going to park once they unloaded and set up. Ms. Jewel stated the majority of vendors would be parking behind their tents. She stated they had entered into contract with the Robinson property owners to rent there for additional vendor parking. Once the market is moved to the Cross Street parking lot she did not believe they would have any parking issues.

Supervisor Conover stated it was important that a provision be made for vendor parking while they were utilizing the Town Hall parking lot.

John McDougal of the Lake George Distilling Company, stated that they are by law only allowed to serve 3 – 1/4oz. samples and they were not allowed to leave the table.

### **RESOLUTION #118**

Councilmember Wilson moved, seconded by Councilmember Bolton to authorize the use of the Cross Street Parking Lot by the Farmers Market for 2016 every Friday 9 AM to 2 PM from June 24 to September 2, 2016 and be it further resolved that should the new parking lot not be completed the Town Board authorizes use of the northern section of the Town Hall Parking lot



until such time as the Cross Street Lot is made available with the condition that there be no open container on the lot and vendor parking is to be off-site. All in Favor. Motion Carried.

- Resolution authorizing the Bolton Town Clerk and Deputy Clerk to attend the NYSATRC tax receivers and collectors conference in Lake Placid at the High Peaks Resort on June 12-15, 2016.

Councilmember Bolton inquired if there would be office coverage. Jodi Connally stated that there would be.

### **RESOLUTION #119**

Councilmember Wilson moved, seconded by Councilmember Bolton to authorize the Bolton Town Clerk and Deputy Clerk to attend the NYSATRC tax receivers and collectors conference in Lake Placid at the High Peaks Resort on June 12-15, 2016. All in Favor. Motion Carried.

- Resolution appointing Lorraine Wilson-Lefevé as a member of the Bolton ZBA to fill the unexpired term of John Famosi which expires 12-31-16.

Councilmember Wilson stated that Mr. Famosi did a great job, but unfortunately he did not have the time to fulfill this position any longer.

### **RESOLUTION #120**

Councilmember Wilson moved, seconded by Councilmember MacEwan to appoint Lorraine Wilson-Lefevé as a member of the Bolton ZBA to fill the unexpired term of John Famosi which expires 12-31-16. All in Favor. Motion Carried.

- Resolution authorizing retaining Beacon Fine Art Foundry for the reconditioning of Brass Monuments and Plaques at Memorial Park.

### **RESOLUTION #121**

Councilmember Bolton moved, seconded by Councilmember MacEwan to authorize retaining Beacon Fine Art Foundry for the reconditioning of Brass Monuments and Plaques at Memorial Park. All in Favor. Motion Carried.

- Resolution authorizing the Supervisor to sign a 3-year contract with Cornerstone Telephone.

### **RESOLUTION #122**

Councilmember MacEwan moved, seconded by Councilmember Coon to authorize the Supervisor to sign a 3-year contract with Cornerstone Telephone. All in Favor. Motion Carried.

- Convene as Town of Bolton Water District.

**RESOLUTION #123**

Councilmember Coon moved, seconded by Councilmember Wilson to Convene as Town of Bolton Water District. All in Favor. Motion Carried.

- Resolution authorizing upgrade of chlorination system at Bolton Water Treatment plant from gas chlorination to liquid sodium hypochlorite and authorizing Supervisor to take such actions as needed to complete the upgrade immediately upon approval of plans by the NYS DOH.

**RESOLUTION #124**

Councilmember Bolton moved, seconded by Councilmember Coon to authorize the upgrade of chlorination system at Bolton Water Treatment plant from gas chlorination to liquid sodium hypochlorite and authorizing Supervisor to take such actions as needed to complete the upgrade immediately upon approval of plans by the NYS DOH. All in Favor. Motion Carried.

- Resolution authorizing the Supervisor to purchase Neptune Handheld Data Collectors, from Ti Sales in an amount not to exceed \$11,446.08.

Supervisor Conover stated that this will allow us to shorten the read time on the meters, which will help immensely. He stated that he likes the idea of not being married to just one company

**RESOLUTION #125**

Councilmember MacEwan moved, seconded by Councilmember Bolton to authorize the Supervisor to purchase Neptune Handheld Data Collectors, from Ti Sales in an amount not to exceed \$11,446.08. All in Favor. Motion Carried.

- Reconvene as Bolton Town Board.

**RESOLUTION #126**

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

**Public in Attendance:**

Dennis Murphy stated he wanted an e-mail correspondence he had sent to the Board put into the correspondence noted in next month's meeting along with the Town response. He stated that "Civilized society survives and prospers by a body made contract between citizens and government. A law that is not enforced is meaningless, serves no deterrent and encourages lawlessness".

**RESOLUTION #127**

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

TRANSFERS FOR MAY 2016

To	From	Amount
<u>GENERAL:</u>		
1010.1 Town Board PS	1990.4 Contingency	\$15,000.00

**RESOLUTION #128**

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

Pay The Bills:

	Voucher	Amount
Mid Abstract 4A		
General	545-549 551-568 570-579	\$4385.53
Hwy	182	17.35
Sewer	115-120	1430.11
Water	107-109	1258.54
Lights	550 & 569	70.68

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General	485-544 580-595 597-617 619	37,373.51
Highway	159-181 183-194	54,401.85
Sewer	102-114 121-125	3,481.43
Water	86-106 110-113	5,818.61
Lights	596 & 618	1,832.81
Tourism	6	3,530.87
Special Ballfield	7-23	75,148.09
Cross St Parking	4	3,069.91
Vets Parking Capital	4	1,979.16
Rogers Park Capital	20-25	127,453.39
Veterans Memorial Fund	1	5,625.00

Executive Session: Matter involving employment history of a particular Town employee.

**RESOLUTION #129**

Councilmember Bolton moved, seconded by Councilmember Wilson to enter into Executive Session for a contractual matter. All in Favor. Motion Carried.

No Action Taken

Adjourn: 8:17

Minutes respectfully submitted by:

Jodi Connally  
Town Clerk

Katie Persons  
Minute Taker