

REGULAR MEETING
BOLTON TOWN BOARD

August 6, 2013

Meeting Call to Order: 6:30 pm.

Pledge: Susan Wilson

Regular Meeting:

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

Minutes: Approve Minutes of Town Board Meeting held July 2, 2013

RESOLUTION #171

Councilmember Wilson moved, seconded by Councilman Maranville to approve the minutes of Town Board meeting held July 2, 2013. All in favor. Motion Carried.

Public Hearing: regarding amendments to Town of Bolton Ordinance #22 Noise Ordinance for the Town of Bolton.

The following amendments to Ordinance #22 are under consideration:

ADD a new section 7 K:

"Noise which is projected or increased in volume or sound intensity, as regulated by this Ordinance, is not intended to include a limitation of sound sources from non- amplified musical instruments, non-amplified human voice and shall not include sound emanating from a radio, CD player, DVD player, television or similar electronic or digital audio device when used for personal or private individual entertainment."

Councilmember Wilson explained that it had been brought to her attention that without this clause, a homeowner could possibly be in violation of the noise ordinance.

ADD a new section 10 H:

"A reasonable application fee shall be established by the Town of Bolton by resolution as appropriate to the application for a special permit to allow outdoor amplified noise."

Councilmember Wilson stated that she was not originally in favor of this section, but realized that this would allow for changes if needed at a later date. Supervisor Conover explained that they were not planning on adding a fee at this time, to which Councilmember Wilson agreed.

ADD a new section 13 E:

"Under appropriate circumstances from Memorial Day through Labor Day and on Columbus Day weekend where a commercial establishment in the RCH-5000 Zoning District may seek special permission to conduct outdoor amplified noise activities as part of a re-occurring course of commercial conduct such as outdoor entertainment or indoor entertainment which is likely to project and emanate from interior spaces to outside areas surrounding the commercial activity, the Town Board may in such case consider and provide a re-occurring permit providing appropriate restrictions and limitations upon the same guidelines and criteria specified in paragraph 11A herein. A re-occurring permit shall not be available for non-commercial or private activities at private residences."

Councilmember Wilson explained that this new section would allow businesses in RCH5000 zone to have the ability to obtain a seasonal permit similar to the GB5000 district.

ADD a new section 13 F:

"With the exception of an application for premises involving a commercial seasonal permit in a GB 5000 Zoning District, or a commercial re-occurring permit in the RCH-5000 Zoning district, a special permit to allow outdoor amplified noise at any premises in all other zoning districts shall not be granted where the same premises has obtained the benefit of a prior special permit to allow outdoor amplified noise within a prior period of 60 days. The Town Board may, upon a showing of "good cause," relieve the applicant from the 60-day period (f the applicant demonstrates an economic hardship or a practical difficulty imposed by this limitation).

Councilmember Wilson stated that this proposed section would only allow an applicant 1 sound permit within 60 days. She also stated that the Board could provide relief from this as the need arises. Councilmember Bolton says that she supports this as long as they could address the need of the homeowners, if they required more than 1 sound permit within that 60 day time period. Supervisor Conover explained that this would not effect commercial businesses in the GB5000 or RCH5000.

- Resolution regarding amendment to Ordinance #22 Noise Ordinance for the Town of Bolton.

RESOLUTION#172

Councilmember Bolton moved, seconded by Councilmember Wilson to approve resolution regarding amendment to Ordinance #22 Noise Ordinance for the Town of Bolton. All in favor. Motion Carried.

Public Hearing: regarding sound amplification permit for Paul Rice, United Methodist Church for August 11, 2013 at Rogers Park, electronic keyboard for lake front service at Pavilion on Pier, 9-10:00 AM.

Supervisor Conover asked if there was any discussion.

- Resolution regarding amplified noise permit for United Methodist Church.

RESOLUTION#173

Councilmember Bolton moved, seconded by Councilmember Wilson to approve sound amplification permit for Paul Rice, United Methodist Church for August 11, 2013 at Rogers Park, electronic keyboard for lake front service at Pavilion on Pier, 9-10:00 AM. All in favor. Motion Carried.

Public Hearing: Regarding outdoor DJ amplified noise permit for Bethany Folkins, at Somewhere in Time, on September 14, 2013 between the hours of 3:30 PM and 9:00 PM.

Councilman MacEwan asked if there was any stipulation that a manager should be on site. Supervisor Conover said he believed that it was a condition of Planning Board approval. Town Counsel Muller stated it was a stipulation of approval of their site plan review and that he had notified Mr. Gramegna's attorney of the fact that there were allegations stating that this was in fact not happening.

- Resolution regarding sound amplification permit by Bethany Folkins at Somewhere In Time on September 14, 2013.

RESOLUTION#174

Councilmember Bolton moved, seconded by Councilman Maranville to approve sound amplification permit for Bethany Folkins, at Somewhere in Time, on September 14, 2013 between the hours of 3:30 PM and 9:00 PM. All in favor. Motion Carried.

Public Hearing: Regarding music at The Algonquin Restaurant through September 8, 2013, 2:00pm to 5:00pm, Saturdays and Sundays.

George Goodwin, from the public, stated that the Algonquin music was heard by him at his home across the bay and he was ambivalent about it, he enjoyed last week's music, but was not sure he would always feel the same. Keith Scott asked if this was the first time he had heard it. Mr. Goodwin said he was outside at the time and that's why he heard it, but the proximity of his property allowed the music to be heard.

Supervisor Conover stated he had never received a complaint in the 3.5 years he had been in office about the music at the Algonquin. Councilmember Wilson said they can relook at this next year as it is a seasonal permit, if any problems occur.

- Resolution regarding sound amplification permit by Keith Scott, The Algonquin Restaurant.

RESOLUTION#175

Councilmember Bolton moved, seconded by Councilman MacEwan to approve sound amplification permit for Keith Scott, The Algonquin Restaurant through September 8, 2013, 2:00pm to 5:00pm, Saturdays and Sundays. All in favor. Motion Carried.

Public Hearing: Regarding outdoor amplified noise permit for a wedding at Flamingo Resort for September 7, 2013 from 5:00 – 11:00pm.

Debbie McNeery represented this application stating that the times requested were 5:00 to 10:00pm not 11:00pm. Supervisor Conover inquired if this was going to be a onetime event, to which she replied yes.

- Resolution regarding sound amplification permit by George J. Pasternak on September 7, 2013 at Flamingo Resort.

RESOLUTION#176

Councilmember Bolton moved, seconded by Councilman MacEwan to approve sound amplification permit for George J. Pasternak on September 7, 2013 from 5:00 – 10:00pm at The Flamingo Resort. All in favor. Motion Carried.

Public Hearing: Regarding outdoor DJ amplified noise permit for Laura McBride and Chad Abbott, at Somewhere In Time, on September 7, 2013 between the hours of 4:30 PM and 10:00 PM.

Chad Abbott represented this application and he was assured that there would be an onsite manager. Supervisor Conover stated that in the past they had put up sound barriers. Mr. Abbott replied that he was more than willing to comply with this, if that's what they needed to do. Supervisor Conover asked when they had entered into this contract, and Mr. Abbott replied 2012. Councilmember Bolton stated that there were sound curtains onsite that they would need to have drawn.

- Resolution regarding sound amplification permit by Laura McBride and Chad Abbott at Somewhere In Time on September 7, 2013.

RESOLUTION#177

Councilman MacEwan moved, seconded by Councilman Maranville to approve sound amplification permit for Laura McBride and Chad Abbott at Somewhere In Time on September 7, 2013 between the hours of 4:30 PM and 10:00 PM. All in favor. Motion Carried.

Tabled (Public Hearing Remains Open)

Regarding outdoor amplified noise permit for Steve McCranels, Market Place Steak House, 3:00 pm to 10:00 pm through the end of the year, for low volume, light dinner music and 2 small T.V.'s, news and sports.

Steve Joiner, manager of the Market Place Steak House explained that 6 months ago he was given the task of overhauling the two properties. He stated that the owner was not a manager of either of the properties at this time. He said that they were asking for low level music outside the restaurant to attract business. Mr. Joiner stated that they did not want to be obtrusive and he was open to any suggestions. He believes that all the businesses and shops must work together to project a unified town. He explained volume control to the outdoor patio has been off, and it is

controlled by him, and him alone. Mr. Joiner stated that he wanted just enough ambient noise to catch peoples attention. Councilmember Wilson asked if the t.v.'s and the music would be competing with each other. Mr. Joiner replied they would not and they were individually controlled so he could manage it well. Mr. Joiner explained that he has been really trying to make an effort to change what has been previously going on. Councilman MacEwan stated he could substantiate this, and that the Board should give them a chance. Supervisor Conover explained it had been tabled due to lack of representation and neighbor complaints. Supervisor Conover stated that they had taken a reading due to a complaint received on August 4th, and the noise had been measured at 80 decibels. Mr. Joiner explained that the ordinance requires 50 feet and the reading had been taken at 30 feet. Mr. Joiner stated that they were willing to cooperate, and they were open to suggestions.

Matthew Slaughter owner of neighboring business Next Summer, stated that his business was well within 50 feet of the speakers. He said that the music levels had been very good this year, but in prior years it had not. Mr. Slaughter stated that he was concerned with football games on the t.v.'s. Mr. Joiner replied that it was an all new staff and they were working hard to be a good neighbor. He said late night music is inside on Saturday at 11:00pm and he controlled the volume on that too.

- Resolution regarding outdoor sound amplification permit for the Market Place Steak House.

RESOLUTION#178

Councilman MacEwan moved, seconded by Councilmember Bolton to approve outdoor amplified noise permit for Steve McCranels, Market Place Steak House, 3:00pm to 10:00pm through the end of the year, for low volume, light dinner music and 2 small TV's, news and sports. All in Favor. Motion Carried.

Public in Attendance:

Jane Caldwell: Edgecomb Pond Road read her letter of concerns on the road improvements done to Edgecomb Pond Road.

I have asked to appear before the Town Board in order to voice my concern about the road "improvements" on Edgecomb Pond Rd. While it is completely legal and certainly the legal right of the town to do what they wish within the twenty-five foot right of way on town roads, I don't think it is wise or warranted. I've spoken to Tim Coon as well as Ron Conover about my concerns, but my wishes and the need to "improve" the road are at odds here. The work has been largely completed. The contour of the land has been dramatically altered. The most beautiful arbutus patch in the area has been blasted away. A treasured, shagbark hickory is gone. The end of our driveway looks like a rest area on the thruway. All of this has been done. No discussion will return the road to its former state. The purpose of asking for this time to be heard is simply that I believe it is important that the wishes of landowners/taxpayers be acknowledged, and in the future, that projects as transformative as this one be discussed before they occur, not after. I would like to address the nature of how things are accomplished here in this beautiful little town. I would like to express my concern

that those of us who live here and pay taxes here should be afforded an opportunity to speak. That's why I'm here.

There are a few questions I have about this project. I had sent them to Ron Conover on July 11, 2013 with the hope that he will be able to answer them in a public forum. It is my hope that this time might be used to answer these questions and to address the larger concept of the nature of rural living. Here are the questions:

1. What is the cost of the road project on Edgecomb Pond Road from the Conservation Park to Edgecomb Pond?

Supervisor Conover stated that it was approximately \$425,000.

2. How is the money appropriated? In other words, is the town road budget simply a set amount and the projects are determined by the Highway Supervisor or are members of the Town Board made aware of the cost of specific projects?

Supervisor Conover replied that the Board controlled each particular project, he explained that the Town Supervisor submitted the projects he wanted to accomplish each year, and the Town Board appropriated the funds as they saw fit.

3. Do you think that changing the nature of a neighborhood should, at the very least, call for a public hearing so that the folks who are affected can express their points of view?

Supervisor Conover explained that there was a 25 ft. right of way from the center line of the road, which becomes complicated with the involvement of National Grid and other utilities. He stated that there are many obstacles for Highway Superintendent Coon to meet.

Councilmember Wilson replied that this had not been done in the past but it was something the Board would look into. Supervisor Conover agreed to this and stated he had already spoken to Highway Superintendent Coon, who was in agreement. Councilmember Bolton stated she was agreeable to a public hearing, and the possibility of having just one for all upcoming projects in the beginning of the year. Mrs. Caldwell stated she believed they needed communication among homeowners on these projects and Councilmember Wilson agreed and stated she would support it going forward.

4. What is the purpose of all of the blasting and cutting down of trees lining the road?

Supervisor Conover replied maintenance and the longevity of the road along with public safety.

5. Is there any consideration of the impact of the removal of vegetation and the erosion that results?

Supervisor Conover replied that Highway Superintendant Coon operates under a general highway permit. He also stated that Highway Superintendant Coon had been trying to do the hydro seeding much quicker and this seemed to be helping the erosion.

6. Is this project engineered or simply improvised?

Supervisor Conover did not believe that they used an engineer on this project, but that they have in the past.

Mrs. Caldwell stated that a good number of years ago, at significant cost, a comprehensive plan was developed for the town. She asked if it had ever been implemented or become part of any code or consideration of any project and if current members of the Town Board familiar with the plan? All Board members replied yes they were.

Mrs. Caldwell said that it seems to her, that much of the charm of Bolton Landing is the beautiful, so called scenic corridors. She referred the Board to an informative website- www.smartgrowthamerica.org/complete-streets .

Councilmember Wilson stated she would like Highway Superintendant Coon to take a look at the need for guardrails at the north end of the lake side of Edgecomb Pond Road.

Fred Brown and Sam Caldwell stated their concerns of the loss of their survey stakes and who would be replacing them.

Dave Cummings stated that his phone lines had been cut and dug up during the process and left lying on the ground. Jane Caldwell and Joyce Cleavland were concerned about culverts and driveways that were destroyed. Mia Muratori of 535 Potter Hill Road stated that her Mom was concerned with her wall being jeopardized by the digging. Supervisor Conover said that he would talk to the highway department and look into these matters. Councilman MacEwan asked if anyone had reached out to Highway Superintendant Coon. Jane Caldwell replied that she had on multiple occasions.

Dave Decker: Lake George Watershed Coalition detailed his schedule with the following handout:

Contracting Plan & Schedule
Magic Salt Storage Shed(s)

Budget Dependent: Construct one or more Magic Salt Storage Barns.
Funding: Member Item Grant - Senator Betty Little
EPF-LWRP Grant - C007005

Contracting Form: Lump Sum; Design/Build

Contracting Strategy: Performance Specification -
Mandatory Pre- Bid Meeting on Site

Reimbursement Contract; Contractor gets paid, once state reimburses.
Option for Second Barn: Location - Hague

Construction

Observation: David J. Decker, P.E.

Contracting Schedule: Aug. 6, 2013	Authorize Clerk to Advertise for Bids
Aug. 20, 2013	Specifications Available at Town Hall, Online & Contractor Outlets
Aug. 27, 2013	Mandatory Pre-Bid Meeting
Sept. 13, 2013	Bids Due
Sept. 17, 2013	Award Recommendation to Board
Sept. 17, 2013	Notify Selected Contractor

Supervisor Conover asked if there would be a delay in reimbursements to the contractor. Dave Decker answered not necessarily. Supervisor Conover had concerns that this type of contract would prevent smaller contractors from bidding. Dave Decker agreed that this was a possibility.

Supervisor Conover inquired about the WBE and MBE requirements. Dave Decker replied that the contractors must make their best efforts to solicit them.

Supervisor Conover asked Town Counsel Muller how he thought the resolution for the advertisement to bid looked. Town Counsel Muller stated it looked excellent.

Councilmember Wilson asked if this project could be in place by this winter. Dave Decker replied that he fully expected it to be. Councilmember Wilson inquired how long it would take to construct. Dave Decker replied that it should be 45 to 60 days.

Councilmember Wilson asked if this kind of financing would jeopardize this. Dave Decker explained that was why they would be doing the pre-bid process and he stated that the Town could pay invoices, and wait for the State to reimburse. Supervisor Conover said they could entertain this if it was going to effect the project.

Councilmember Wilson asked if the Town Highway equipment would need to be adapted for the use of the salt and Supervisor Conover asked if part of the project had a set amount of salt. Dave Decker replied yes to both questions.

Anne Green: Gave an extensive report on Land Invasive Species. She touched on 3 plants in particular:

- Wild Parsnip
- Fragmities – Giant Weed Grass
- Japanese Knotweed also known as bamboo.
 1. Town of Bolton has the highest amount of Japanese Knot Weed in the Adirondacks.
 2. Herbicides are the best way to try to reduce growth and control.

3. It grows through asphalt and concrete.
4. RIIPP is a citizens group that applies for grants to help control invasives.
5. Injection into the stems of the plant to help reduce the growth.
6. She is working with many groups to make them all aware of this issue.
7. Kathy Vanselow is willing to take on apprentices to teach proper application of pesticides.

George Goodwin expressed his concerns with his experiences with Japanese Knotweed and how aggressively it grows, and the fact that it was a long term battle to get rid of it.

Anne Green stated that the Town Board should budget for invasive species control. Supervisor Conover asked Town Counsel Muller if they could purchase 2 injector guns or if they should write a grant to RIIPP. Town Counsel Muller replied that either option would work. Supervisor Conover asked the Board's sentiments and they were agreeable.

Jodi Connally stated that she was informed at a recent class on invasive plants, that the Town of Bolton had the 2nd largest infestation of Japanese Knotweed in the Adirondack Park.

Zandy Gabriels stated that pesticides had changed in the past 20 years and he thought this was a great program.

Dan Daniger stated that he was more concerned with West Nile and encephalitis than he is with problematic issues with yards, and would like the Board to recognize this.

Daniel Daniger: 73 Coolidge Hill Road to ask the Town to adopt a nuisance law. He stated that he has been subjected to multiple noise issues and that this was a town wide problem. Mr. Daniger said that he has contacted multiple law enforcement agencies for some help and no tickets are ever issued. He believes nuisance laws could improve the quality of life in the Town of Bolton. He believes this issue can be raised through the Town Board acting as the Local Board of Health. He stated the many different ways other towns are dealing with these situations.

Supervisor Conover asked Councilmember Wilson about the meeting she had attended with Town Counsel Muller in regards to this matter. Councilmember Wilson stated that she understood Mr. Daninger's problems but she believed that Town Counsel Muller was not recommending the nuisance law. Town Counsel Muller explained that there was ample room in the current penal law 240.20(2) and 240.20(7) to make an accusation to be prosecuted by the Warren County District Attorney's Office. Town Counsel Muller explained that he must file a complaint with the police and sign it, to have this prosecuted in Bolton Town Court. This would map out a course of action to move forward with this issue. Mr. Daniger said it is very hard to get the police to write these tickets and he is at a loss as of what to do.

Supervisor Conover asked if a complaint could be filed after the fact. Town Counsel Muller said yes.

Dan Daniger said he still feels the need for residential rentals to be held accountable.

Zandy Gabriels spoke on the Jefferson Project and encouraged communication to entities to employ the technology on Trout Lake and Edgecomb Pond for base line data as they are two large tributaries to Lake George.

Correspondence:

- Elaine Chiovarou-Brown copy of email from Peter Noonan regarding lack of supplies in the Rogers Park restroom and recommendation for urinals and also the absence of “no smoking” signs at the Beach.

Supervisor Conover explained that the campers are taking restroom supplies and the need for locking devices.

- Joan Sady regarding September 1st date for changes to Town election to receive a portion of sales tax receipts.

Supervisor Conover stated that he did not expect any change at this time.

- Diane L. Kenneally, P.E., Director Local Programs Bureau, NYSDOT regarding CHIPS reimbursement and electronic payments.
- Michael Swan, Treasurer regarding Warren County Budget Analysis Report.
- Jane Caldwell regarding highway work at Edgecomb Pond Road and concerns regarding loss of scenic corridor by cutting of trees and drainage.
- Lucy Naslas, Member at Large, Rensselaer Outing Club, RPI request to use Veterans Park September 20-22nd for departure point to Turtle Island.
- Darrin Fresh Water Institute regarding report of water testing.
- Amy Drexel, Emergency Services Coordinator, Warren County OES regarding applicants briefing for July 25, 2013 regarding FEMA eligible storm event.

Supervisor Conover stated that he had materials to submit for the Hendricks Road reimbursement.

- Dan Daniger regarding continued noise issues adjacent to his home on Coolidge Hill Road.
- John Mucha, Director, Government Relations, TWC, regarding possible changes to programming and offerings.
- Peter Lopiccolo affidavit and complaint regarding Somewhere In Time.
- Lawrence O’Connell affidavit and compliant regarding Somewhere In Time.
- Christine Delorier, Senior Project Manager, Upstate New York Section, US Army Corps of Engineers authorization regarding permit application NAN-2013-00834 by NYS Department of Transportation PIN 1809.25 Town of Bolton.
- Ed Sheridan, Treasurer, Bolton Landing Business Association thanking the Town for 2013 Fireworks donation and continued support of the Association.
- Jodi M. McDonald, Chief Regulatory Branch, US Army Corps regarding notification of permit requirements for storm damage repairs.
- Elizabeth Mahon-Laidlaw, Assistant Director, Child Care Network regarding services.
- Marcy A. Dreimiller, Adirondack Runners thank you letter for Town support and use of Rogers Park and \$100 donation for the Recreation Department.
- National Grid regarding change of service classification to service classification 2.

Supervisor Conover stated that the Bolton Pump Station could result in a rate increase if this goes into effect.

- Michael Penna picture of guests of Somewhere in Time lifting rope through private property.
- James H. Korkus, President, Indian Summit Homeowners Association regarding desire to provide annual instead of biannual storm water report.
- Robert M. Blais, Mayor, Village of Lake George regarding Festival for the Lake scheduled for September 27-29, 2013 to raise money for the SAVE Lake George initiative.
- John and Debbie Gaddy thank you letter regarding dry hydrant installation on New Vermont Road.

Supervisor Conover wanted to thank the homeowners of New Vermont Road for their patience on this matter, and Warren County Soil and Water for their assistance.

- Susan A. Picarillo, Alternate Authorized Representative, NYS Office of Emergency Management regarding closeout of FEMA 1899 DR NY.
- Board of Trustees, The Bolton Free Library thank you for funding from Warren County Aid.
- Tony Gratson, Ford Motor Company regarding Police Vehicle spare tire and its role in crash protection test results.

Supervisor Conover said the tire must be in the trunk on this vehicle to meet the crash protection standards.

- Lawrence and Carolyn O'Connell, Faith Miller and Holly Whipple, Linda and Peter Lopiccolo regarding violation by Somewhere In Time to covenants of 6-10-2013.
- Carl Schoder, PE regarding New Vermont road storm water project and WBE and MBE status and grant requirements and status of waiver process.
- Hilary Smith, Director Adirondack Park Invasive Plant Program regarding work shop on Japanese knotweed on August 5, 2013 at North Creek.
- Richard and Nancy Elkin, Glenn and Mary Ann Dibiase, Frank Ring, Michael and Teresa Keane, Gail and Ed O'Leary, Rosemarie and Keith Arnold, Pioneer Association, encouraging Town Board to consider adopting fertilizer ordinance in concert with other Towns around the Lake, in the absence of action by the LGPC.
- Honorable Harry Demarest, Bolton Town Justice request for Justices Demarest and Stewart to attend NYS Magistrates Convention from September 8-9, 2013 in Lake Placid.
- Jay Shartsis request to name private drive servicing 3 lots off Diamond Ridge Road as "Moose Trail".
- Letter from Bob Slozak regarding private septic system and focusing on lake properties.
- NYS DEC regarding Edgecomb Pond dam and maintaining schedules on upgrades.

Committee Reports:

Councilman Robert MacEwan

Water Department- Actual flow through the plant before deductions 9,864,424. John reports that July was a very busy month. His monthly water samples came back satisfactory. He reported that they got all the water meters read and that they had rigged up a few drive by meters. They fixed a couple of older meters that were plugged with sand or had frozen and broke. They had

marked out water lines, and have been busy at the plant doing regular maintenance. They had one alarm at the plant. The NTU chart recorder that monitors the water broke down and they had to order a new one from Aqua Logics System Inc. John and Tom had to come in at different hours of the night to record the reading of turbidity for about a week, until the new chart recorder came in. Bill Suften did another application of copper sulfate to the pond. Heritage Village had a leak in their PVC plastic water line. They will need to put in a new water line sometime down the road.

Sewer- took in 7,191,660 gallons of waste water for an average of 231,989 gallons per day. Monthly samples were done and they had a violation for effluent on phosphate, 1.68 allowed a 1.0 for July. DMR's were mailed with no violations for June. All beds are dry except for the one in use. They had the radiator in the Norwal generator replaced due to leaking. The John Deer tractor was sent to Falls Farm and Garden to be fixed. They changed the oil and greased motors in the Blower Building, and fixed the air tubes in the EQ tank. They also fixed the float on the pump going to the upper beds. They hauled 80,000 gallons of liquid sludge and they still have more to haul, but Glens Falls is not taking a lot of it at this time.

Transfer Station – They took 2 loads of bottles to Warrensburg. Total receipts for the month is \$8660.00. Spring clean up cards total \$4832.00. Lisa is hoping to get a container for metal from the County to start putting all the metal in so there would be no mess on the ground.

Councilman MacEwan stated he had received a letter forwarded to him by councilmember Bolton from Bolton Central School student, Seth Kline stating his concerns for the need of recycling receptacles to be put around the town. Councilmember Bolton thought it would be a something they should look at and she said she would talk to George Mumblow about ordering the cans and have them placed in strategic spots around town. The Board was very impressed with this student's initiative and thought it was a great idea.

Councilman Owen Maranville

Police-

- Patrolled 2,621 miles and used 185 gallons of fuel.
- The July 4th fireworks went very smoothly with no traffic problems.
- Officer Thomas Varney has resigned effective July 18, 2013.
- On July 26 at 12:08AM, Police Officer Mortimer Keane received a call reporting a medical emergency. P.O. Keane responded to the Treasure Cove Resort Room #46, where he found a 70 year old male performing C.P.R. on his wife, also 70 years old. P.O. Keane immediately took over rescue actions and applied the defibrillator, (A.E.D.) which is carried in the police car. Although no shock was advised by the A.E.D., P.O. Keane performed C.P.R. on the patient until the arrival of the Bolton E.M.S. The patient was taken to Glens Falls Hospital by the Bolton Ambulance. P.O. Keane continued to assist the patient's family by escorting them to the hospital. The patient survived being in full arrest thanks to the lifesaving actions of P.O. Keane.

Councilman Maranville stated that P.O. Mortimer Keane should be commended for his lifesaving actions, which made a great contribution to the survival of a person. Supervisor Conover agreed, and stated he would like the Town Clerk to type up a letter of commendation to be sent to P.O Keane and a copy to be put into his personnel file.

Assessor-

1. During July Dave's computer file was continuously updated to keep up with deed transfers and address changes. With regard to sales, he has had 2 more arm's length sales to report. His total count since last July is now 51 which compares similarly to the 53 total of the preceding year.
2. On July 1, Dave filed the final 2013 assessment roll with our Town Clerk and advertised the same in the Post Star newspaper.
3. On July 22, an updated computer file was turned into the County for processing of the 2013/2014 School Tax Rolls. Dave is keeping a list to give to the School tax collector of name and address changes between then and September 1.
4. On July 17 & 18, Dave attended a class at the annual Cornell seminar on "Appraising Unusual Properties." This class fulfills his continuing educational requirements as a State Certified Professional Assessor as well as educational credits to maintain my NYS Certified General Appraiser's license.
5. The selection committee has met and interviewed candidates for Dave's replacement. At this point no decision has been made on how to proceed and with whom. The last day of his current appointment is September 30 which corresponds with his intent to enter the State retirement system.
6. Lastly, he is preparing this report on a new computer which runs on the Windows 7 operating system. This has fixed all of the problems associated with the older XP program which is no longer being supported by Windows. Dave appreciates the Board's attention on quickly resolving this issue.

Justice Court- During the month of June, 2013, Judge Harry Demarest took in \$3,555.00 and Judge Edward Stewart took in \$6,215.00. Total monies forwarded to the Town of Bolton amounted to \$9,770.00. There are itemized lists located in the Court if anyone desires to look them over.

Highway Department –

- Blasting done on Edgecomb Pond Road.
- Grinding done on Edgecomb Pond Road.
- Cut out 1200 foot section of Edgecomb Pond Road next to Joan Baldwin's property.
- Drew in item 4 for Edgecomb Pond Road.

- Replaced all culverts on Edgecomb Pond Road.
- Graded and raked dirt roads.
- Cleaned up downed trees on Dickinson hill road.
- Ground and repaved Thunderbird Road, and cleaned up all black top.
- Replaced two foot diameter culvert on Hendricks Road, due to wash out.
- Worked on trucks and equipment maintenance.
- Started ditch work on Potter Hill Road.

Councilman Maranville stated that although he thinks that public hearings are a good idea for road projects, he suggests that they set clear parameters as to what constitutes a need for one. Councilmember Bolton suggested that they have one public hearing in the beginning of the year to get feedback. Councilman Maranville agreed and suggested that the Highway Department would be present to answer any questions that may arise.

Councilmember Susan Wilson

Councilmember Wilson stated that several months ago she had indicated that the LWRP and the Zoning Code update were on the same track, but the zoning update is slowing down a bit. She stated that they had brought the consultants back in again, and she is hoping to have it sent to the A.P.A. next month. Councilmember Wilson stated that they had gone through it very thoroughly and after A.P.A. review they would need to hold a public hearing. She stated that the Town has some additional grants they could apply for and she would like to make a motion to amend resolution 112 to add some additional funding for planning purposes. Supervisor Conover agreed.

- Resolution regarding amendment to resolution 112.

RESOLUTION#179

Councilmember Wilson moved, seconded by Councilmember Bolton to approve amendment to resolution 112 for additional funding for planning purposes which will include grant applications and to finish Zoning Code updates in an amount not to exceed \$10,000. All in Favor. Motion Carried.

Code Enforcement- 31 page report, 32 site visits.

Zoning & Planning - \$764 in fees collected this month

Library- The Library Board held a training session for volunteers to work in situations when the librarian is not available. Movies are still being played through the month of August.

Conservation Park- Councilmember Wilson expressed how impressed she was with the way the Parks Department has been maintaining the upkeep of the property. Councilmember Bolton stated that the additional summer help has really made this possible. Councilman Maranville also agreed that the property looked great. Councilmember Wilson stated that the property has been rented out consistently all the way through 2014. Councilman Maranville stated that Barry

Kincaid had done a great job on the signs, and Councilmember Wilson explained that it had all been done with grants obtained by the LGA.

Councilmember Wilson stated that she and Supervisor Conover had met with Kathy Bozony from the Fund for Lake George about legislation about the application of fertilizer. Councilmember Wilson said it is very hard to enforce this type of legislation so they asked Ms. Bozony to compile information and legislation that other towns were using. Councilmember Wilson stated that she thinks it is now time to really look into this issue and hoped to maybe have a draft together to look over at next month's meeting. Councilmember Maranville asked what the other Town Supervisors were doing at this time. Supervisor Conover said he believed that the other towns were now looking into common legislation and a regional approach. Chris Navitsky stated that the A.P.A. had asked them to go back to the towns so here they were again. Councilman Maranville stated that he believes the biggest culprits are the landscapers and the fact that they do not seem to have a problem conforming makes him feel more comfortable about this item to which Councilmember Wilson agreed.

Councilmember Cheryl Bolton

Clerk's Office- We at the Town Clerk's Office have just completed another water billing cycle. Mr. Robert Martin from Network Oriented Solutions is scheduled to stop in next week to introduce us to some upgrades to the equipment which are being utilized in surrounding communities, therefore making the billing cycle much more efficient for both those of us in office and the crew on the street. Over 220 people have taken advantage of the resident stickers. Over 800 residents have taken advantage of the transfer station spring clean-up cards. I am proud to inform you that the Town of Bolton will be hosting the Tri-County Town Clerk's Association meeting here on August 29th at the Lakeside Lodge. Our guest speaker will be the State Comptroller speaking on the Town Clerk and financial matters. Both Penny and I look forward to attending.

Councilmember Bolton stated that she was impressed with how smoothly the Town Clerk's office has been running with the high volume of traffic and phone calls. She said that the continued influx of daily tasks were enormous, along with the completion of another water billing cycle. She stated that she has had a multitude of comments about the wonderful service people were receiving.

Recreation- No Meeting held in July

- Summer Programs - Attendance: The extreme heat and rainy weather has caused a decrease in sports camps. Basketball camp had only one child enrolled, as it was over 95 degrees each day. Swimming and art class attendance remains strong, along with Summer Day Camp at 35 as well. The Three Little Pigs Children's Opera had approximately 200 people, as did the Mettawee River Theater Company. The Talent Show/Youth Theater attracted approximately 95 people. The concerts continue to see an increase in attendance each week, with movies consistently bringing 75-100 people each week. Mini Camps and Adventure Wednesday attendance has been extremely low. 51 people attended the Lake George Theater Lab original musical production "Open Season"

- Department of Health: Both Beaches passes inspection in July, with no violations found in Veteran's or Roger's Park. The Summer Day Camp passed all 64 code requirements as well.

Councilmember Bolton said that this speaks volumes as to the work being done by the Parks and Recreation Departments and she would like to commend them. They have a great track record. Councilman MacEwan stated that he had received many compliments on staff member Brian Farrell. Councilmember Bolton stated she had as well, and that they were all doing a great job.

- Rec Director Michelle Huck would like to request street signs directing the public to the Conservation Club. The name Bolton Community Center is extremely confusing, and now with a new sign outside the building reading "Bolton Conservation Park" it makes the problem greater. If a sign to the Conservation Club/Park could be added at the bottom of Mohican Rd, and at Edgecomb Pond Rd, it should help increase attendance to events at this location.
- Inquiries are being made as to why the lights are not on in the evening in Veteran's Park. Parents are leaving their cars running with the lights on so that children can play on the basketball courts and playgrounds.

Bolton EMS-

Medical Supply:

- Back ordered Atropine Sulphate & Etomidate obtained. Suppliers advised price of Epi-pens rising by 10% putting them at a cost approaching \$300 for a set of two. We continue to build up an excessive stock of saline bags that have been heated in A736 for two weeks and then must be replaced. Although we can use the bags until expiration we are not using up the accumulating stockpile.

Administration:

- For June EMR recorded 18 calls with PCRs of which 15 were billable for Gross Charges of \$14,718.50. Collected billings deposited in June totaled \$10,086.31.
- Personnel and staffing continues to be a challenge. Meeting in early September with Board liaison to discuss.
- Today Dr. Girling signed off on Jeffery Dunn's on line status with Mountain Lakes. Although Jeff has been a paramedic for several years in the Albany area, he came to work with us as an ALS intern until he completed the required number of precepted calls within the Mountain Lakes region. The plan is for Jeff to work a 24 hour shift on Saturday and one other 12 hour day shift to be determined; thereby increasing our ALS coverage.
- Scott Cornell, Monday paid EMT/Driver resigned to take a full time position as a dispatcher with Mahoney Alarms. For the near future, Stephen Meigher will take over the Monday day shift as EMT/Driver.
- We are still in need of an ALS tech for Sundays.
- Solomon Seckler, summer volunteer helper, has returned will be responding as available.
- Shaun Perry advised he is interested in re-joining the squad and obtaining his EMT certification.

- In response to the Adirondack Journal piece the following individuals responded:
- Ann Green, newer resident in town and a former Texas EMT, is interested in joining Bolton EMS and obtaining her New York EMT certification. Awaiting her application. She advised a friend and current “lake steward” (inspecting for invasive species) may have an interest in joining Bolton EMS.
- Tom Strobel, part-time year round resident and Double H Ranch volunteer, is interested in volunteering in some capacity.
- Ann Lloyd, former treasurer of Warrensburg EMS, offered to assist with any fundraising efforts and other administrative assistance.

Councilmember Bolton stated that personnel and staffing continues to be a challenge and she would be meeting with the Bolton EMS in early September to discuss this issue.

Supervisors Report:

- Receipts: \$203,087.09
- Disbursements: \$616,585.04
- Warren County Sales Tax: for the month of June was down 9% year over year, overall up 3.4% year to date.

Supervisor Conover stated this means we are up approximately \$60,000.

- Restrooms at Rogers substantially complete, excepting metal roof, portable restrooms removed.
- Thunderbird Road project complete looks very good.
- Veterans Park Parking Lot complete looks very good (need for a barrier on south end will be needed to control cars parking in soft area).
- Assessor position.

Supervisor Conover stated that they are still working with the Town of Lake George on this matter.

- New Vermont Road Drainage Project: Contracts signed project underway.

Supervisor Conover stated that this project is scheduled to begin September 3rd, and will sever the road for up to 3 weeks. He stated that a public notice will be sent out to EMS, fire companies and the school district.

- Striping at Rogers Parking lot completed and looks very good.
- Floating dock project at Veterans underway, installation to take place sometime in August.
- Authorization for replacement of HVAC unit at Town Hall.

Supervisor Conover stated that to repair the unit would be too costly, therefore it was more cost efficient to replace the unit for \$6,000.00.

- Day Care Facility for Bolton.

Councilmember Bolton questioned the Board’s involvement in this issue and stated that the school had an afterschool program and suggested that be an avenue that is tapped into.

Supervisor Conover stated this was an issue he had taken a personal interest in. Councilman Maranville stated that if the Town was looking for the influx of younger families into the town, this was an important issue.

- Resolution for mandatory inspection program unanimously approved by the LGPC regarding aquatic invasives.

Supervisor Conover commended the Board on their pro-active approach to this issue.

- Recent article in the Adirondack Journal regarding the Bolton Recreation Program.

Supervisor Conover stated that it spoke very well of the Towns Recreation Department.

- I have received an inquiry about 45 mph speed limit on Federal Hill and desire to see at least part of the road near corner of Valley Woods and Horicon changed to 30 mph.

Councilmember Bolton stated that this was County Road 10 and expressed her concern because of intersection with Braley Hill. Supervisor Conover said he would get together with Highway Superintendant Coon and discuss this.

- Parks Department replaced electric service line serving pedestrian lights on south west end of street, compliments to Parks crew and Mike Fitzgerald for getting this done.
- Water Service billings were slightly less than last year to date.

New Business:

- Resolution authorizing Town Clerk to advertise for bid of a Magic Salt storage facility at the Highway Garage for the storage of Magic Salt, schedule as provided by Dave Decker and for the Supervisor to execute any and all agreements related to this project subject to review and approval by the Town Attorney.

Supervisor Conover stated he was very happy to have this accomplished and that he appreciated the Board's efforts in moving forward with it. Councilmember Bolton stated that the training for the application of this item was imperative. Supervisor Conover agreed and stated he would inform Dave Decker of their wishes.

RESOLUTION#180

Councilman Maranville moved, seconded by Councilmember Bolton to authorize Town Clerk to advertise for bid of a Magic Salt storage facility at the Highway Garage for the storage of Magic Salt, schedule as provided by Dave Decker and for the Supervisor to execute any and all agreements related to this project subject to review and approval by the Town Attorney. All in Favor. Motion Carried.

- Resolution authorizing use of Bolton Pier by the Bolton Chamber associated with Labor Day events and festivities at Rogers Park for music between the hours of 5:00-8:00 pm.

Supervisor Conover stated this was to help with the craft fair traffic.

RESOLUTION#181

Councilmember Bolton moved, seconded by Councilman Maranville to authorize use of Bolton Pier by the Bolton Chamber associated with Labor Day events and festivities at Rogers Park for music between the hours of 5:00-8:00 pm. All in Favor. Motion Carried.

- Resolution authorizing use of Veterans Park parking lot and beach for departure to Turtle Island on September 20-22 and instructing the Bolton Town Clerk to notify the club that the driving of vehicles or trucks onto the lawn area of Veterans for launch or pickup purposes is not permitted.

Councilman MacEwan stated that they could use the new path. Supervisor Conover replied that last year big trucks had left large ruts in the lawn area, and this resolution would allow the clerk to notify all parties in advance that it was prohibited to drive across the lawn.

RESOLUTION#182

Councilmember Bolton moved, seconded by Councilman MacEwan to authorize use of Veterans Park parking lot and beach for departure to Turtle Island on September 20-22 and instructing the Bolton Town Clerk to notify the club that the driving of vehicles or trucks onto the lawn area of Veterans for launch or pickup purposes is not permitted. All others in Favor. Motion Carried.

- Resolution authorizing annual spring storm water reporting instead of bi-annual reporting, for Indian Summit Access Road and authorizing Town Attorney to draft required storm water management plan amendment and authorizing Supervisor to execute same.

Supervisor Conover stated that he had talked with Town Engineer, Tom Nace, and he has no issues with changing it from bi-annual to annual. Councilmember Wilson asked when this agreement was initially done. Supervisor Conover reported that it had been done when the project was being implemented and the previous Board had some initial concerns, but at this time, these concerns had not materialized.

RESOLUTION#183

Councilmember Wilson moved, seconded by Councilman Maranville to authorize annual spring storm water reporting instead of bi-annual reporting, for Indian Summit Access Road and authorizing Town Attorney to draft required storm water management plan amendment and authorizing Supervisor to execute same. All in Favor. Motion Carried.

- Resolution authorizing Justice Harry Demarest, and Justice Ed Stewart to attend NYS Magistrates Convention from September 8-9, 2013 in Lake Placid, NY.

RESOLUTION#184

Councilman Maranville moved, seconded by Councilmember Bolton to approve resolution authorizing Justice Harry Demarest, and Justice Ed Stewart to attend NYS Magistrates Convention from September 8-9, 2013 in Lake Placid, NY. All in Favor. Motion Carried.

- Resolution regarding request to name common drive off Diamond Ridge Road as Moose Trail.

Supervisor Conover stated that one property owner is building on his lot and needed a road name for emergency and utility services. He also stated that one of the three landowners was not in favor of this name. Councilmember Wilson stated that if two of the property owners had agreed to it, she was fine with it.

RESOLUTION#185

Councilman Maranville moved, seconded by Councilmember Wilson to approve request to name common drive off Diamond Ridge Road as Moose Trail. All in Favor. Motion Carried.

- Resolution authorizing Supervisor to apply for grant funds through the NYS Consolidated Funding Program.

Whereas, Grant funds are being sought through the Consolidated Funding Application (CFA) for the Visitor Center through a combination of the NYSDOS Local Waterfront Revitalization Program (LWRP) in the amount of \$350,000, the NYSDOT Transportation Enhancements Program (TEP) in the amount of \$100,000, and the Market NY program in the amount of \$25,000.

Whereas, the TEP and Market NY funds would be used towards the match for the LWRP grant and the Town of Bolton will contribute the remaining match amount of \$325,000 depending on awarded funding.

Whereas, the project includes a storm water management plan for the entire park, Visitor I Heritage Center, entryway, pedestrian connector, water system and north dock.

Now Therefore Be It Resolved, that the Supervisor of the Town of Bolton is authorized to submit said grant application on behalf of the Town of Bolton to the consolidated funding program.

Supervisor Conover stated that this would also allow for funding for the North dock, hillside irrigation and stormwater.

RESOLUTION#186

Councilmember Wilson moved, seconded by Councilmember Bolton to authorize Supervisor Conover of the Town of Bolton to submit said grant application on behalf of the Town of Bolton to the consolidated funding program. All in Favor. Motion Carried.

- Resolution authorizing Supervisor Conover to retain the services of CT Male Engineers for Engineering Assessment services and development of a work program relating to Edgecomb Pond Dam.

Whereas it is necessary to prepare an Engineering Assessment Report on Edgecomb Pond Dam, and

Whereas the dam is in need of repair, and

Whereas an alternate emergency spillway has been proposed,

Now Therefore Be It Resolved that the Supervisor of the Town of Bolton is authorized to retain the services of CT Male Engineers for Engineering Assessment services and development of a work program relating to Edgecomb Pond Dam.

Supervisor Conover stated that we have applications for grants to help with some of these items.

RESOLUTION#187

Councilmember Bolton moved, seconded by Councilmember Wilson to authorize Supervisor Conover of the Town of Bolton to retain the services of CT Male Engineers for Engineering Assessment services and development of a work program relating to Edgecomb Pond Dam. All in Favor. Motion Carried.

Public in Attendance

Zandy Gabriels discussed the following:

Sales tax and the changes to it. He commented on fertilizers and the lack of enforcement. Mr. Gabriels stated his concern with future storms and stormwater controls and the use of engineers and the need for engineers when blasting.

He was concerned with the Edgecomb Pond Dam. He also talked about New Vermont Road pertaining to 100 year storms and DEC's knowledge of 100 year storms and their rules and regulations. Mr. Gabriels was interested in the changes in the Zoning Code, able to compare with existing code so that the public can see the changes.

Supervisor Conover stated that the Board would look into this possibility.

Transfers: Motion to Approve Transfers

RESOLUTION #188

Councilman MacEwan, seconded by Councilman Maranville to approve the following transfers:

TO:
GENERAL FUND:

FROM:

AMOUNT:

1355.2 Assessor EQ	1355.4 Assessor CE	\$431.00
3120.4 Police & Constable CE	3120.2 Police & Constable EQ	\$904.00
3510.4 Dog Control CE	3310.4 Traffic Control CE	\$150.00
7450.4 Museum CE	1620.4 Buildings & Grounds CE	\$19,053.00

HIGHWAY:

5140.4 Brush & Weeds CE	5148.4 Serv. To Other Gov's CE	\$967.00
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WATER DISTRICT:

8340.4 Transmission/Dist. CE	8310.4 Source Power Pump CE	\$6,000.00
8340.4 Transmission/Dist. CE	8330.4 Purification CE	\$5,973.00

Pay the Bills:

RESOLUTION #189

Councilman Maranville, seconded by Councilman MacEwan to approve payment of the following bills:

	Voucher	Amount
Mid Abstract 7A		
General	839	100.00
Lighting	840	3025.27
Tourism	32	13,000.00
Mid Abstract 7B		
General	897,898 900-909 911-915	3253.18
Highway	290	17.35
Sewer	160-162	2551.46
Water	176,177	1245.15
Street Lighting	899,901,910	301.04
August Abstract		
General	782-838 841-896 916-956 958-966	134,234.31
Highway	268-289 291-300	137,286.77
Water	162-175 178-184	10,210.68
Sewer	139-159 163-167	16,416.39
Street Lights	957	3,266.01
Tourism	26-31 33-36	5,538.00
Conservation Special Facilities	6	66.19
Zoning Ordinance Update	2&3	5643.45
Vets Park Floating Dock	8	1186.12

Adjourn:

RESOLUTION #190

Councilman Maranville moved, seconded by Councilman MacEwan to adjourn at 9:40pm.

Minutes respectfully submitted by:

Jodi Connally
Town Clerk

Katie Persons
Minute Taker