

BOLTON TOWN BOARD

Pledge: Councilman Gregory Smith  
Regular Meeting

February 2, 2010

Supervisor: Ronald Conover  
Councilman Robert MacEwan  
Councilman: Owen Maranville  
Councilmember: Deanne Rehm  
Councilman: Gregory Smith  
Town Clerk: Patricia Steele  
Counsel: Michael Muller

There were no further comments from the public in attendance. Supervisor Conover closed the public hearing. Legislation to follow.

Announcements:

- Appointment of Councilmember Deanne Rehm to be Town Board Liaison to the Bolton Free Library Board. Councilmember Rehm happily accepted the appointment.
- Deanne Rehm- Bolton Free Library Dinner Event at the Episcopal Church on February 27, 2010, 5:00-10:00pm.
- Completion of annual audit for the Clerk’s Office, Justice Court, Supervisor and Tax Collector.

Supervisor Conover thanked Councilmen MacEwan and Maranville for conducting the audit of the Justice Court.

Board of Health: None

Public In Attendance:

- Keith Scott, Algonquin Restaurant

Keith Scott requested to speak with the Town Board regarding a water bill the Algonquin received dated April 30, 2009. He stated that during the 6 month period while the Algonquin is closed they have to run a bleeder line because the water pipe runs underneath the road. There is a dip in the line and it cannot be shut off properly. He stated that he has owned the Algonquin for 9 years. In the first few years they were open year round so they did not have to turn off the water, but after that they shut down for the winter season. During that time they incurred bills that were approximately \$1,800/year to run a bleeder throughout the winter. However, in 2007 they had enough of paying \$2,000 for water they didn’t use so they shut down the water completely. However, during that time the pipe froze and they had to do some repair. In 2008-2009 winter they went back to running the bleeder line again and their water bill ended up being \$5,800. He stated that the usage was 1,172,000 gallons of water which is more than what they use in a 6 month period over the summer. He stated that they checked the meters and it was determined that the meters were working fine. He stated that he has 2 problems with this 1) if the Town has a curb stop, when he shuts off his water he should be able to blow out the lines and not worry about water going from the curb stop to the restaurant but that was not the case. According to John Perry, Water Plant Operator, and Mr. Huck, Caretaker for the Algonquin, there was a bleeder valve inside which allows water to infiltrate back into. Keith Scott stated that they went through the expense this year and dug up the road and put in a second curb stop. They have taken on that cost as well as the cost of running water through the building. He stated that he wrote a letter to the Town seeking some reprieve for the water bill during his off season in 2009, but has had very little response. He stated that the Town would not fix the problem so he had to fix it himself and he is looking for something in return.

Councilman MacEwan asked if the Algonquin was completely shut off at this point. Keith Scott replied that they were completely shut off at this point. He stated that they hope that the work they did will work

properly and they will not have any water in the line this year. He stated that it cost approximately \$3,000-4,000 for the materials and labor. He does not even feel that the repair was the Algonquin's responsibility since the Town is supplying water to them and charging a particular rate for it. He feels that they should be able to shut the water off and that would be it. In 2007 they only used 358,000 gallons of water using the bleeder line. He stated that the same guy did the job in 2009 and he received a bill for 1,200,000 gallons of usage. Councilman MacEwan stated that according to John Perry, the water did go through the meter. Keith Scott replied yes, but they were not there to use it and cannot account for it. He stated that he does not even use this much water in the summer.

Councilman Smith asked if the new curb stop was on the west side of the road. Keith Scott stated that the other curb stop was also on the west side of the road. However for some reason when they shut it off there is some sort of bleeder valve that allows ground water to infiltrate back into the pipe, so now there are a couple of shut off valves in there. Councilman Smith stated that there should not be any water in there now and there should be zero usage. Keith Scott agreed, however since they do not do meter readings in January they will have some usage in November, for clean-up and 30 days in April.

Councilman MacEwan stated that he has seen these lines before and was under the impression that these valves were standard to allow water that is in the line to drip out. He was not aware that it would allow the water to go in as well. Keith Scott stated that it does allow it to go in.

Supervisor Conover stated that their improvement is that they have shut the line off completely and have abandoned the running bleeder. Keith Scott replied yes because they cannot afford to pay \$6,000 in the off season for water.

Councilmember Rehm stated that the meter was not replaced after the high reading and it was used over the summer. She asked if the readings seemed to be accurate. Keith Scott replied that the readings seemed normal over the summer. Councilmember Rehm stated that based on that, although the Algonquin cannot account for the high reading, they could be confident that the reading was accurate.

Councilman MacEwan asked if there was any usage on there from the time when they were about to close and then re-opened. Keith Scott stated that due to the reading times they would have a little time accounted for in November and April. He stated that in November they did some clean-up but they are not open to the public and in April they are open 30 days.

Supervisor Conover stated that he would like to discuss this further with Councilman MacEwan and Keith Scott. The Board agreed.

- Scott Brandi, President, Ski Areas of New York, Inc.

Scott Brandi stated that Ski Areas of New York, Inc is the trade association that represents the ski industry in New York State. He stated that New York is a ski state with the 4<sup>th</sup> highest amount of ski areas in the nation. He stated that there is a \$4.1 billion economic impact on upstate New York during the 4 months of winter. Scott Brandi stated that he is very actively involved in tourism and passionate about the state of New York, in particular this area.

Scott Brandi stated that he has approached his organization to hold their annual Ski Areas of New York conference at the Sagamore. He stated that his Board was interested, and told him he needs to make the money work. He stated that is why he is before the TB because no matter how they stretched it, they were not able to close the gap. He stated that they requested \$15,000 of bed tax money from Warren County and he is grateful that they gave them \$5,000. He stated that he is still seeking funding to make the conference work and they are really close. He is seeking to have the town commit \$3,000 of bed tax money. He stated that this would be an investment in the future. This conference rotates within the state, so in a few years it will come back this way and if they are successful, he sees it coming back to the Sagamore again.

Scott Brandi provided some details about the conference. He stated that it is a 3 day event in September. They would rent over 200 rooms each of the 2 nights. They are looking at spending \$87,000 on hotel rooms and another \$45,000 on food and beverage at the Sagamore. Although most of the events and dining is held at the resort, they do like to turn everyone loose one of the nights so that they can explore the area outside of the conference. He stated that they also will be spending money on golf as well. He stated that the past few years they have brought in the Walt Disney Institute for hospitality training and opened that up to the communities.

Supervisor Conover asked if there will be vendors at the event. Scott Brandi replied yes they will be using the old tennis facility and typically have about 60 vendors. The vendors cover the gamut of services for a ski resort and hospitality.

Councilman Maranville asked if this event would be open to the public. Scott Brandi replied no it would be by invitation only. He stated that last year they had a Senator from Green County come and speak. This year they are seeking to have Betty Little come and say a few words.

Councilman Smith asked how many people would be involved. Scott Brandi replied approximately 350.

Councilman MacEwan asked how the money will be used. Scott Brandi replied that it would be used primarily to promote the event. He stated that they would also use it towards the final day event. They typically try to get as many people involved in that event because it tends to lead to another night stay for many. He stated that all of the promotional material would have the Town logo/name like they will do with Warren County.

Councilmember Rehm pointed out that if it were true that this conference would use approximately \$80,000 in boarding. Approximately \$3,600 would be gained in occupancy tax, and half of it comes back to the Town, which she feels would be a great return from their investment. She stated that they also would gain in the sales tax revenue as well. Scott Brandi agreed and commented that they would also be gaining exposure to the area.

Supervisor Conover stated that the idea of offering the business community the opportunity to participate in the Disney Institute training is a very attractive possibility. He stated that he looked forward to working with him. Scott Brandi stated that he is really hoping that they will be able to offer this type of event for the community.

Zandy Gabriels stated that he feels that this would be a good idea for the Town. However, they only get 1% of the bed tax money in return. He stated that the only thing that they need to be concerned with is promoting conventions that occur at private locales. This is a different direction than they usually go with bed tax money.

- Zandy Gabriels stated that the sales tax has decreased by 9% which works out to be \$333,000. He stated that it is a lot of money that the County does not have which will also affect the Town. He stated that if the sales tax is the same as it was this year he is concerned that they will have to dip into the un-appropriated surplus. He stated that given the fact that they are not sure when the economy would turn around he would suggest that they put the Conservation Club project on hold. He stated that although they entered into the contract they could breach the contract. This would result in a penalty for the breach, but it would end up protecting them in the long term. This way they could wait until the economy improves before they decide to build. He feels this would also aid in gaining better support from the community for the project.

Correspondence:

- Canoe Island Lodge concerning intent to renew liquor license.
- DEC letter concerning consent order.

- US Census Bureau concerning use of space in Town Hall for 15 hrs per week for 9 weeks as a questionnaire assistance center.
- Hudson Headwaters Health Network stating that the Health Center will not be closed on an unscheduled basis and that additional staff is being sought to fill in when Dr. Smead is unavailable due to time off.
- Department of Veterans Affairs concerning new CBOC clinic.
- Scott Brandi, President, Ski Areas of New York, Inc. requesting \$3,000 of support to bring conference to the Sagamore Hotel on September 20-22, 2010.
- N Y Department of State regarding the Energy Efficiency and Conservation Block Grant Program.
- Dave Rosebrook, Assessor regarding revaluation.
- Time Warner regarding services and channels.
- Jane K. Gabriels regarding improvements to Rogers Park.
- Edgar M. Caldwell annual Town Historian activity report.
- Pam Kenyon letter requesting 3 weeks vacations.
- Notification from Melody Manor, Inc. to renew liquor license.
- Notification from Lily's to renew liquor license.
- Notification from The Lake George Club to renew liquor license.
- Memo from Mike Muller regarding Town Planning Board Recommendation of January 22, 2010 regarding proposed change to definition of Ski Center and addition of Center to permitted uses in RR5/10 zoning districts.
- Letter from DENTE Engineering for Testing Services for the Pier Project.
- Letter from Mark J. Kennedy, DOT Regional Traffic Engineer to William Lamy, DPW Superintendent, regarding receipt of speed limit request.
- Request from Martha Strodel, Warren County Historical Society for use of the Town Hall on Wednesday, July 21<sup>st</sup>, 2010 from 6:30pm to 9:00 pm.
- Receipt from Sagbolt, LLC notifying the Town that they are seeking permission from the State of Liquor Authority to make alterations to Cabana Building and requesting 30 day waiver of notice period.
- Notification from Sagbolt, LLC to renew liquor license for the Morgan, The Pavilion, The Morgan Additional bar.

**Committee Reports:**

**Councilman Robert MacEwan**

Water Department- 4,575,000 gallons filtered. They are doing regular maintenance at the plant and reading meters. Tom Torebka took a week vacation January 25-29.

Transfer Station- Councilman MacEwan stated that he has been talking with Lisa French and Supervisor Conover and they need to address some issues at the Transfer Station including clean-up cards, pricing and the building itself.

**Councilman Owen Maranville**

Police Department- 3,506 miles patrolled and 283.7 gallons of fuel used. Itemized list of all calls answered is available for review. As a note there have been a lot of reports of burglaries in the area. Individuals are urged to take extra precautions to keep their belongings safe.

Assessor- Daily maintenance to their files has continued and is up to date. Sale volume has been very low to date. So far in the 2009-2010 year they have only had 22 arms length sales. Renewals for the senior low income exemption were placed in the mail at the beginning of the month. STAR renewals were sent out in the fall of 2009. All exemptions need to be returned to the office for processing by March 1<sup>st</sup>. For the first half of the month he was working on the re-evaluation project. However, for all of the reasons he mentioned in his memo dated 1/15/10 he had to discontinue the project and do the work normally done this time of year. The second half of the month was occupied by field work; there were over 250 inspections to make before March 1<sup>st</sup>. He also began his annual 2 months of property inspections. Due to the late start he has been working on weekends to catch up. On January 26<sup>th</sup> he

attended the County's Assessor Association meeting in Lake George. A new slate of officer, led by President Teri Ross, has made community relations an issue to focus on. The memo of 1/15/10 indicated that the re-evaluation was cancelled due to limited sales, too wide of a range and he was not comfortable with the values. He is considering doing the project again next year or the year after.

Justice Department- Hon. Harry Demarest took in \$4,765 and Hon. Edward Stewart took in \$7,010. Total monies forwarded to the Town of Bolton \$11,775. Itemized lists are available for review in the Court.

### **Councilmember Deanne Rehm**

Library-They have a busy February schedule. They are actively pursuing opportunities for fund raising because it is a small community and the County has reduced the amount of funding provided. She stated that they will be holding many events especially in the summer to help aid their funding needs. The events lined up for February do not have a fee but many activities have been planned. On the 27<sup>th</sup> they will be having a potluck supper at 5pm. The evening will be filled with music from local musicians. Each family is asked to bring something to share. They are hoping that this will become a monthly event.

Recreation Commission- Attendance has fallen off. They are not sure why and do not feel that it is one particular reason. However, the school has lower enrollment in age group that they were typically getting. They have made a decided effort to publicize activities and they are monitoring the situation hoping that it will turn around. They believe that by next fall Koala-T daycare center will be closing down and that may have some effect on their attendance. However, they have always had the age limit at 10. They are going to sit down with the daycare center to see if there is a need for 8 and 9 year olds.

The ski program is a success. The Director has forwarded all legal forms and permission slips for both the winter program and summer camps to Counsel Muller to be sure that all are up to date.

Up Yonda has followed through with their promise of offering free memberships to the Town residents.

Seniors- Tom Mahalic passed away suddenly last week. She stated that she was pleased to see that the greater senior community turned out for his memorial. There were people from all over the place that he had met over the years with the senior program.

On the 10<sup>th</sup> they will be doing Wii bowling at the Senior Center. On the 17<sup>th</sup> they will be going bowling in Lake George. On the 24<sup>th</sup> they will be going to the Racino.

### **Councilman Gregory Smith**

Sewer- Took in 3,540,920 gallons of waste water for an average of 114,223 gallons/day. Samples have been taken and have returned with no violations. New pumps are being installed in the North Station. There was a sewer plug on Stewart Ave on the 19<sup>th</sup> of January. They borrowed the penetrating nozzle from Lake George to unclog it. Chet Dagles is looking to order one of them. The main reason for these clogs are roots in the lines. He has been doing a lot of work on this and has found a vapor router. This company works out of Queensbury. They use a foam which eats the roots of the tree inside the lines but does not hurt the trees. The application of this product is guaranteed by the company for 2 years. He stated that it is a \$1.40/foot to have this done, so they need to find out how many feet they would be looking to do.

Parks Dept- The building is not in very good shape. He stated that there is mold and mildew and it is beyond repair. He suggested that they talk to the LDC about using some space at Norowal Marina. It would keep the shop in Town but not in the direct view of the public. He stated that he is still looking into this and Counsel Muller will be looking into the legality of it.

### **Supervisors Report:**

Receipts: 1,288,688.79

Disbursements: \$930,995.83

Sales Tax: Total Sales tax for 2009 was \$3,268,192.36 (-\$333,130.89 from 2008 or -9.3%)

**Old Business:**

- Zoning request regarding ski slopes as a permitted use in RR5/10 zoned districts in the Town of Bolton.
- VanWart/Baer Sewer service extension.-There is no update at this time.
- Draft amendment to water regulations regarding district procedure for correcting and paying for issues associated with private water lines.
- Draft amendment to sewer regulations regarding district procedure for correcting and paying for issues associated with private sewer lines.

**New Business:**

- Ordinance To Amend Section 3 and Modification to Section 3.1 of the Current Rules and Regulations of the Bolton Sewer District #1, Ordinance #5 and #18 of the Town of Bolton.

**RESOLUTION #28**

**THE EXISTING SECTION 3 OF THE CURRENT RULES AND REGULATIONS OF THE BOLTON SEWER DISTRICT #1, ORDINANCE #5 AND #18 SHALL BE DELETED, AND ITS PLACE AND STEAD, THE FOLLOWING SHALL BE ENACTED:**

**SECTION 3**

All building sewer connections and the installation of all sewer pipeline shall be made in accordance with the rules, regulations and ordinances herein set forth and by the direction of the Town of Bolton and its agents or servants. The repair, maintenance and extension of the same shall likewise conform to such standards.

The private property owner shall be responsible for all expenses incurred at the time of the original installation of the lateral sewer pipeline between the District Sewer Main and any building intended to utilize the sewer connection.

The private property owner shall be responsible for all expenses incurred whenever repair, maintenance and/or extension of a sewer connection is required in a lateral sewer pipeline in any portion of all of such lateral sewer pipeline between the original connection to the District Sewer Main and the building.

In any instance where repair, maintenance or extension of a lateral pipeline shall be required, no person shall cause any excavation, boring or disturbance within the public road or highway without direct supervision and control of such activities by the Town of Bolton.

**DEFINITIONS SHALL BE ADDED/MODIFIED TO SECTION 3.1 AS FOLLOWS:**

“Building Sewer” shall mean the extension from the building drain to the public sewer or other place of disposal and shall include the terms “house sewer”, “lateral sewer pipeline” and “sewer connection” as used herein.

“District Sewer Main” shall mean the primary municipal sewer pipeline (referred to as a “main”) lying within the bed of the public road or highway, or under private lands, to which a private sewer user shall connect a lateral sewer pipeline in order to receive sewer service to a building.

“Lateral Sewer Pipeline” shall mean the secondary sewer pipeline (also referred to as a private sewer line) regardless of whether such pipeline lies within the bed of the public road or highway, usually connected as a conduit between the District Sewer Main and servicing a building. A lateral sewer pipeline or secondary sewer pipeline shall be maintained, repaired and, if necessary, replaced at the expense of the private user.

Councilman MacEwan moved, seconded by Councilman Smith to amend Section 3.1 of the Current Rules and Regulations of the Bolton Sewer District #1, Ordinance #5 and #18 of the Town of Bolton. NOTE: Amended as Counsel suggested on the District sewer main language. All in Favor. Motion Carried.

- Resolution to set Public Hearing on March 2, 2010 at 7:00pm for amendment to water regulations (Ordinance #39) regarding procedure for correcting and paying for issues associated with private water lines.

Councilmember Rehm suggested that they have some discussion about what this public hearing will entail. Counsel Muller read the amendments and provided details regarding the amendments to the ordinance. He stated that the amendments deal with outlining the responsibility of the town and individual in the event of repair or replacement of water/sewer lines. He stated that this will outline the responsibilities and the procedures by which to enforce the responsibilities.

Zandy Gabriels asked if would be possible to have these proposed amendments placed on the website for review. Supervisor Conover stated that they could post these on the website. Zandy Gabriels also suggested that they make sure that the written notice to the individual property owner should be sent from the Town Board or Supervisor rather than from the Water Department. Councilman Maranville agreed that for authority purposes they would want this to come directly from the Supervisor. Counsel Muller explained that the decision to turn the water off would come from the Town Board. However, the Supervisor would have the authority in the emergency situations to turn the water off without Board input. He stated that the most important thing is that the individual is given notice. After further discussion the Board agreed that written notice would come directly from the Supervisor. Counsel Muller stated that he would make that amendment for the public hearing.

#### **RESOLUTION #29**

Councilman Maranville moved, seconded by Councilman MacEwan to set the public hearing on March 2, 2010 at 7:00pm for amendment to water regulations (Ordinance #39) regarding procedure for correcting and paying for issues associated with private water lines. All in Favor. Motion Carried.

- Resolution to set Public Hearing on March 2, 2010 at 7:00pm for amendment to sewer regulations regarding procedure for correcting and paying for issues associated with private sewer lines.

#### **RESOLUTION #30**

Councilmember Rehm moved, seconded by Councilman Smith to set Public Hearing on March 2, 2010 at 7:00pm for amendment to sewer regulations regarding procedure for correcting and paying for issues associated with private sewer lines. Amended by Counsel that written notice would come from the Supervisor. All in Favor. Motion Carried.

- Resolution authorizing the Supervisor to sign consent agreement with DEC relating to failure to report a sewage spill while unclogging a sewer line on October 24, 2009 and payment of \$1,000 penalty.

Councilman Smith stated that he spoke to Chet Dagles, Sewer Plant Operator, about this and he has indicated that they will be doing everything by the book from now on. He has to send written notice within 3 days and call within 24 hours. He stated that this was the first sewage spill of less than 50 gallons in quite some time.

**RESOLUTION #31**

Councilman Maranville moved, seconded by Councilman Smith to authorize the Supervisor to sign consent agreement with DEC to failure to report a sewage spill while unclogging a sewer line on October 24, 2009 and payment of \$1,000 penalty. All in Favor. Motion Carried.

- Resolution authorizing Supervisor to allow the U.S. Census Bureau to use table in Town Hall Board Room from 2/26/2010 thru 4/19/2010 (15hrs per week) as a questionnaire assistance center.

**RESOLUTION #32**

Councilman MacEwan moved, seconded by Councilmember Rehm authorizing Supervisor to allow the U.S. Census Bureau to use table in Town Hall Board Room from 2/26/2010 thru 4/19/2010 (15hrs per week) as a questionnaire assistance center. All in Favor. Motion Carried.

- Resolution authorizing Supervisor to provide assistance to assist in securing Ski Areas of New York Inc. conference in Bolton for September 20-22, 2010 in an amount not to exceed \$3,000, funding to come from Town Occupancy Tax Revenue.

**RESOLUTION #33**

Councilmember Rehm moved, seconded by Councilman Maranville authorizing Supervisor to provide assistance to assist in securing Ski Areas of New York Inc. conference in Bolton for September 20-22, 2010 in an amount not to exceed \$3,000, funding to come from Town Occupancy Tax Revenue. All in Favor. Motion Carried.

- Resolution authorizing 3 weeks vacation for Pam Kenyon beginning September 28, 2010.

**RESOLUTION #34**

Councilman Smith moved, seconded by Councilman MacEwan to authorize 3 weeks of vacation for Pam Kenyon beginning September 28, 2010. All in Favor. Motion Carried.

- Resolution authorizing training curriculum for Town of Bolton Planning Board and Zoning Board Members offered by the Lake George Association.

Councilmember Rehm asked if this will cover all 4 hours of the Board members required annual training. Counsel Muller replied that the LGA is offering a curriculum that will not be in a block of 4 hours but they will have a selection to choose from and have the potential to earn all 4 hours with this curriculum.

**RESOLUTION #35**

Councilmember Rehm moved, seconded by Councilman Smith to authorize training curriculum for Town of Bolton Planning Board and Zoning Board Members offered by the Lake George Association. All in Favor. Motion Carried.

- Resolution authorizing public hearing on Local Law No. 1 of 2010 for March 2, 2010, 7:00pm regarding Amendment to Chapter 200 Town of Bolton Zoning Ordinance:  
Section 200-8 Amendment to definition of Ski Center,
- Section 200-14 Addition of Ski Center and Lodges to permitted uses in RR5/10 Rural Residential SCHEDULE OF USE REGULATIONS, Type I-Uses permitted by Special Use Permit.

Supervisor Conover asked if they had a good chance of hearing some feedback from the APA by this hearing. Counsel Muller replied that the chances were good because he will keep in touch with them and urge them to respond by that point.



**RESOLUTION #36**

Councilman MacEwan moved, seconded by Councilman Smith to authorizing public hearing on Local Law No.1 of 2010 for March 2, 2010, 7:00pm regarding Amendment to Chapter 200 Town of Bolton Zoning Ordinance: Section 200-8 Amendment to definition of Ski Center, Section 200-14 Addition of Ski Center and Lodges to permitted uses in RR5/10 Rural Residential SCHEDULE OF USE REGULATIONS, Type I-Uses permitted by Special Use Permit. All in Favor. Motion Carried.

- Resolution authorizing Supervisor to sign contract with DENTE Engineering for independent earthwork and concrete testing services for \$2,380 for the Rogers Park Pier project.

Councilmember Rehm asked if this was an anticipated part of the project. Supervisor Conover replied yes. He stated that the testing has to be done by an independent company and not the company providing the concrete.

**RESOLUTION #37**

Councilman Maranville moved, seconded by Councilman Smith to authorizing Supervisor to sign contract with DENTE Engineering for independent earthwork and concrete testing services for \$2,380. All in Favor. Motion Carried.

- Resolution authorizing sale of surplus property associated with the Conservation Club, bids for surplus property to be received by the Town Clerk at the Town Clerks office by noon February 16, 2010. Public viewing of items will be on February 5, 8 and 9<sup>th</sup> between the hours of 10:00 am and 1:00 pm at the Conservation Club. Bid sheets can be obtained from the Bolton Town Clerk, Town Hall, Bolton Landing, NY 12814.

Supervisor Conover asked if the TB would have to reconvene to award the bids. Counsel Muller stated that they could designate one person to receive the bids and select the highest bid it would not be necessary. Councilmember Rehm stated that she would like to amend the resolution to read that the Supervisor to review the bids received on February 16<sup>th</sup> and award the highest bid at his discretion.

**RESOLUTION #38**

Councilmember Rehm moved, seconded by Councilman MacEwan to declare the items associated with the Conservation Club be sold as surplus and bids to be received by noon February 16, 2010, and to authorize the Supervisor to review and award said bids. All in Favor. Motion Carried.

Supervisor Conover suggested that the public go and review the items available. He stated that if anyone had any suggestions about keeping any of the items he would be willing to discuss it. He requested that any concerns or comments be addressed prior to going out to bid.

- Resolution authorizing use of the Town Hall by the Warren County Historical Society on Wednesday, July 21, 2010 from 6:30pm to 9:00pm for a presentation "Communities that Time Left Behind" presented by Ted Caldwell and Stan Cianfarano.

**RESOLUTION #39**

Councilman Smith moved, seconded by Councilman MacEwan to authorize the use of the Town Hall by the Warren County Historical Society on Wednesday, July 21, 2010 from 6:30pm to 9:00pm for a presentation "Communities that Time Left Behind" presented by Ted Caldwell and Stan Cianfarano. All in Favor. Motion Carried.

- Resolution authorizing the Supervisor to sign waiver of 30 day notification requirement by Sagbolt LLC to State Liquor Authority.

**RESOLUTION #40**

Councilman Maranville moved, seconded by Councilman Smith to authorize the Supervisor to sign a waiver of 30 day notification requirement by Sagbolt LLC to State Liquor Authority. All in Favor. Motion Carried.

- Resolution to accept audit reports completed by Councilmen Maranville and MacEwan for the Justice Court and Supervisor Conover for the Supervisor, Tax Collection and Clerk for 2009.

**RESOLUTION #41**

Councilmember Rehm moved, seconded by Councilman Smith to accept audit reports completed by Councilmen Maranville and MacEwan for the Justice Court and Supervisor Conover for the Supervisor, Tax Collection and Clerk for 2009. All in Favor. Motion Carried.

- Resolution of the Bolton Town Board expressing concern regarding proposed APA Boat House Regulations.

Councilmember Rehm stated that she and Zandy Gabriels attended the public hearing held in January in Lake George. The town received a letter from the Park Agency suggesting that we might have a meeting because of Jason Saris' recent appointment as Chairman of the ZBA to discuss some of the variance standards and criteria. She suggested that they may want to add this item to the agenda since it will be in conflict with the Town's current regulations.

**RESOLUTION #42**

Councilman Maranville moved, seconded by Councilman MacEwan to express their concern regarding proposed APA Boat House Regulations. All in Favor. Motion Carried.

**Public In Attendance**

Zandy Gabriels stated that he feels that an expression of concern regarding the proposed APA boathouse regulations is not quite what he had in mind. He feels that the language should be strong and detailed as to their opposition. He strongly encouraged the Board not to wait and see what will happen next. He feels that they should tell the APA that they do not need boathouse regulations period.

Rolf Ronning stated that this weekend he was approached by 2 customers that are seeking to sell their properties because they have had so much difficulty with the APA. He stated that the APA is chasing people out of the park. He stated that business in general is not good and real estate is worse. He stated that the APA may have been useful in the past but they certainly are not useful now. He agrees with Zandy Gabriels that they should make their letter very specific.

Rolf Ronning stated that quite a few people have asked him if his ski area is a possibility. He wanted to provide an update. At the suggestion of Councilmember Rehm he had a recent meeting with DEC regarding this project. The DEC indicated that they liked the concept and feel that it would be placed in a good location and that it would be good for the area. With regard to using streams for providing snow making the DEC indicated that if things progress along and the ski area is permitted in this area that he should be dealing directly with them instead of the APA. They also indicated that Alder Brook is a Class 3 Trout stream, which would allow him to take out 550,000 gallons/day. However, the water that comes from melt and run-off cannot go back into the stream it will have to be put back into a pond with a back up pond for overflow. He stated that overall his meeting with DEC was successful and he feels that this dream could become a reality.

**Transfers:**

- General Fund to Sewer District- January \$1,000, February \$20,000

**RESOLUTION #43**

Councilmember Rehm moved, seconded by Councilman Smith to authorize the transfer from the General Fund to the Sewer District in the amount of \$1,000 for January and \$20,000 for February. All in Favor. Motion Carried.

**Pay Bills:** Voucher #s: Highway 17-58= \$28,055.23, Sewer 12-37= \$2,299.05, Water 7-31= \$5,378.89, Bed Tax 3= \$10,000.00, General 40-152= \$32,450.36, Indian Brook 1= \$10,347.10 Light 152= \$6,780.79.

**RESOLUTION #44**

Councilman MacEwan moved, seconded by Councilman Maranville Highway 17-58 = \$28,055.23, Sewer 12-37 = \$2,299.05, Water 7-31 = \$5,378.89, Bed Tax 3 = \$10,000.00, General 40-152 = \$32,450.36, Indian Brook 1 = \$10,347.10, Light 152 = \$6,780.79. All in Favor. Motion Carried.

**Executive Session:**

Supervisor Conover requested an Executive Session to discuss 3 contractual matters and no further action will be taken.

**Adjourn:**

The meeting was adjourned at 8:39pm.

Respectfully Submitted by:  
Patricia Steele  
Town Clerk

Respectfully Submitted by:  
Kristen MacEwan  
Recording Secretary