

**REGULAR MEETING
BOLTON TOWN BOARD**

April 2, 2013

Meeting Call to Order: 6:30 pm.

Pledge: Owen Maranville

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 Regular Town Board Meeting, March 5, 2013.

RESOLUTION #81

Councilman Maranville moved, seconded by Councilmember Bolton to approve the Minutes of the Regular Town Board Meeting of March 5, 2013 as written. All in Favor. Motion Carried.

Convene as the Bolton Board of Health.

RESOLUTION #82

Councilman MacEwan moved, seconded by Councilman Maranville to convene as the Bolton Board of Health. All in Favor. Motion Carried.

The applicant's representative was not present and there was concern that he may have thought that the meeting was at 7pm. The Board kept the hearing open and reconvened as the regular TB.

RESOLUTION #83

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

The Board continued public hearing for the proposed new Noise Ordinance (*see below). Once public hearing was closed the Board reconvened as Bolton Board of Health and began the public hearing for the septic variance for Louis and Florence Simberkoff.

RESOLUTION #84

Councilmember Wilson moved, seconded by Councilman MacEwan to convene as Bolton Board of Health. All in Favor. Motion Carried.

Convene as the Bolton Board of Health.

Public Hearing: Louis and Florence Simberkoff – 19 Wynmor Road, Scarsdales, New York 10583 – Parcel ID#186.15-1-19, Hiawatha Island. The following variances are being sought: 1)

Section 3.030 Table 1 – Horizontal separation of septic tanks to a dwelling: 10 feet is required – 5 feet is proposed. 2) Section 3.030 Table 1 – Horizontal separation of septic tanks to Lake George: 50 feet is required – 40 feet is proposed.

Chris Gabriels stated that the applicants are seeking to replace the septic tank with one that is properly sized for the dwelling. There is no basement so the 10' setback is not really an issue in this situation. The separation from the lake to the tank is an approximate measurement. The applicants had an old metal tank and the applicants are removing the tank and filling the area. They will be installing 2- 500 gallon tanks off the side of the building to tie into an existing leach field.

Councilmember Wilson asked about the condition of the existing leach field. Chris Gabriels stated that he was not sure of their condition because they have not done any investigative work. Councilmember Wilson stated that she has concerns about the condition of the leach field and its age especially being on the island and within close proximity to the lake. Supervisor Conover stated that we could condition approval upon review of the leach field by a certified professional.

Chris Navitsky, Lake George Waterkeeper stated that they had similar questions about the condition of the leach fields and whether there was consideration of enhanced treatment with an aerobic system. They agree that a condition regarding review of the fields is important. They also question the need for the 2 tanks and would like more information about the pump out of the tanks. Chris Gabriels explained the system and how the 2 tanks operate. He stated that this is a seasonal residence with limited usage. The concerns for a pump out rate are minimal.

Supervisor Conover closed the public hearing.

- Resolution designating Bolton Town Board as Lead Agency under SEQRA

RESOLUTION #85

Councilmember Wilson moved, seconded by Councilman MacEwan to declare Bolton Town Board as Lead Agency under SEQRA for the proposed Septic Variance for Louis and Florence Simberkoff. All in Favor. Motion Carried.

- SEQRA Assessment & Finding

Supervisor Conover reviewed the SEQRA application as follows:

Would the action exceed any Type I threshold? No.

C. Could the action result in any adverse effect associated with the following:

1. Existing air quality, surface or ground water quality/quantity, noise levels, existing traffic patterns, solid waste production or disposal, potential for erosion drainage or flooding problems? No.

2. Aesthetic, agricultural, archeological, historic or other natural or cultural resources or community or neighborhood character? No.

3. Vegetation, fauna, fish, shellfish, wildlife species, habitats, threatened or endangered species? No.

4. Communities existing plans or goals that have been officially adopted or change in use or intensity of use of land or other natural resources? No.

5. Growth, subsequent development or related activity likely to be induced by the proposed action? No.

6. Long term, short term, cumulative or other effects not identified in the above? No.

7. Other impacts including changes in use in either quantity or type of energy? No.

D. Will the project have an impact on the environmental characteristics that cause the establishment of a critical environmental area? No.

E. Is there likely to be controversy related to potential adverse environmental impacts? No.

Determination of Significance: Based on the information and analysis above, and any supporting documentation, that the proposed action will not result in significant adverse environmental impacts.

RESOLUTION #86

Councilmember Wilson moved, seconded by Councilmember Bolton to make a negative declaration for the septic variance application for Louis and Florence Simberkoff, Hiawatha Island, parcel ID 186.15-1-19. All in Favor. Motion Carried.

- Resolution regarding variance requests by Louis and Florence Simberkoff – 19 Wynmor Road, Scarsdales, New York 10583 – Parcel ID#186.15-1-19, Hiawatha Island: 1) Section 3.030 Table 1 – Horizontal separation of septic tanks to a dwelling: 10 feet is required – 5 feet is proposed. 2) Section 3.030 Table 1 – Horizontal separation of septic tanks to Lake George: 50 feet is required – 40 feet is proposed.

The Board discussed whether or not a pump out schedule would be necessary. Given the limited usage, a pump out schedule would not be necessary.

RESOLUTION #87

The applicant's SEQRA submission and our analysis of the issues presented satisfactorily demonstrate that there are no significant environmental impacts or concerns. 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 and 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. Having declared ourselves as lead agency for this application and having made a negative declaration for the SEQRA application Councilmember Wilson moved seconded by Councilmember Bolton to approve this application for septic variance submitted by Louis and Florence Simberkoff, Hiawatha Island, parcel ID 186.15-1-19 with the following condition: 1) that an engineer evaluates the condition of the leach field to insure that it is adequate and is functioning properly. A copy of this evaluation will be provided to the Bolton Planning Office prior to the installation of the septic tanks. All in Favor. Motion Carried.

Reconvene as Bolton Town Board

RESOLUTION #88

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

Public Hearing (maintained open from previous Board Meeting): Regarding proposed noise ordinance for the Town of Bolton. All persons wishing to speak regarding the proposed ordinance will be heard.

*Councilmember Wilson provided some suggestions for changes with regard to the noise ordinance without objection from the Board.

With regard to decibel levels, she has done some research and questioning of the level and found that 50 decibels is not much higher than a normal conversation. She stated that most codes have a decibel level at 75 and she recommends the same for this ordinance.

She provided a business permit for the GB5000 zone that would allow businesses to have multiple uses with one application with a limited time frame of Memorial Day to Labor Day and possibly cover Columbus weekend as well. The permit would have to be applied for and the normal review of the specific times would be discussed and set. Supervisor Conover stated that this would be under D at the bottom of the page 13D. It should read “Under appropriate circumstances from Memorial Day to Columbus Day, where a commercial establishment in the GB5000 may seek special permission to conduct outdoor amplified noise activities as part of a re-occurring, seasonal, regular course of commercial conduct...” and “The annual permit shall be for the period of Memorial Day through Columbus Day of each calendar year.”

Councilmember Wilson asked to add generators as an exception under section 7 for their use during power outages. “Home and commercial generators during periods of lost power.” Supervisor Conover stated that it would be added as item K under section 7.

With regard to previous discussion of charging a fee for the noise permit, Councilmember Wilson stated that she would prefer not to charge a fee. The Board agreed.

Councilmember Wilson asked for clarification of enforcement. Counsel Muller stated that when there is a violation a written complaint is done to specify the violation of the ordinance. Then there are options to proceed upon the complaint; 1) In the justice court we can impose penalties

and fines, and 2) in the event of re-occurrence it would be before the Supreme Court to seek an injunction. He stated that it is similar to the process of any violation in the books.

Councilmember Wilson added to Section 11 with regard to the criteria in which the TB will review permit applications. She stated that the criteria are: location of the activity and surrounding environs, proximity to a school, court house, or place of worship during the hours of such institutions, the nature of the activity, duration of the activity and time of day, effect of the activity on potential areas, vicinity of the location, frequency of the application, experience with the applicant or their agent, previous violations by the applicant or agent of the town noise ordinance. In granting the permit the TB can impose such conditions deemed appropriate or necessary in order to protect the public peace and safety. Counsel Muller stated that this would be added in Section 11.

Councilmember Wilson added another exception to include lawn mowers or other motor driven lawn equipment under section 7.

David McComb stated that 75 decibels seems to be a reasonable level. However he did not see anything about noise level of boats. He asked if that had been a thought to add. He understands that this is difficult to measure and enforce but he would like to see something done. Councilmember Wilson asked if the town had jurisdiction. Counsel Muller replied yes. However he was concerned with attempting to tackle this. Supervisor Conover stated that at this time we have not included this in the ordinance. David McComb asked the Board to think about adding this in the future.

Zandy Gabriels stated that last month he asked about fireworks and asked if it would be prohibited during the hours of 10pm and 7am. Counsel Muller stated that at the last meeting it was discussed that the State has full control and regulation over permitting fireworks. Zandy Gabriels stated that in section 6I there is prohibition of drilling, blasting and excavations or demolition between the hours of 10pm and 7am. Blasting presumably uses TNT which presumably is also regulated by the State. Counsel Muller stated that the State does not exclusively regulate drilling, blasting and excavating. However the permitting of fireworks is solely regulated by the State.

Supervisor Conover closed the public hearing.

- Resolution designating Bolton Town Board as Lead Agency under SEQRA

RESOLUTION #89

Councilmember Wilson moved, seconded by Councilmember Bolton to declare Bolton Town Board as Lead Agency under SEQRA for the proposed Noise Ordinance. All in Favor. Motion Carried.

- SEQRA Assessment and Findings

Supervisor Conover reviewed the SEQRA application as follows:

Would the action exceed any Type I threshold? No.

C. Could the action result in any adverse effect associated with the following:

1. Existing air quality, surface or ground water quality/quantity, noise levels, existing traffic patterns, solid waste production or disposal, potential for erosion drainage or flooding problems? No.

2. Aesthetic, agricultural, archeological, historic or other natural or cultural resources or community or neighborhood character? No.

3. Vegetation, fauna, fish, shellfish, wildlife species, habitats, threatened or endangered species? No.

4. Communities existing plans or goals that have been officially adopted or change in use or intensity of use of land or other natural resources? No.

5. Growth, subsequent development or related activity likely to be induced by the proposed action? No.

6. Long term, short term, cumulative or other effects not identified in the above? No.

7. Other impacts including changes in use in either quantity or type of energy? No.

D. Will the project have an impact on the environmental characteristics that cause the establishment of a critical environmental area? No.

E. Is there likely to be controversy related to potential adverse environmental impacts? No.

Determination of Significance: Based on the information and analysis above, and any supporting documentation, that the proposed action will not result in significant adverse environmental impacts.

RESOLUTION #90

Councilmember Wilson moved, seconded by Councilmember Bolton to make a negative declaration with regard to the proposed noise ordinance. All in Favor. Motion Carried.

- Resolution regarding proposed noise ordinance for the Town of Bolton.

RESOLUTION #91

Councilmember Wilson moved, seconded by Councilmember Bolton to adopt the proposed noise as presented with the changes made previously. All in Favor. Motion Carried.

Councilman Maranville thanked Councilmember Wilson for her efforts on putting this together. Councilmember Wilson stated that Counsel Muller assisted greatly as well. Counsel Muller stated that the ordinance will take effect 10 days after filing it with the Secretary of State.

Public in Attendance:

- Carl Schoder, Bolton Central School Board Member

Carl Schoder stated that he is a School Board member and serves as chairman of the Facilities Committee, which is in charge of looking at maintenance and improvement projects for the school. He is here to discuss the installation of an emergency generator for the school in the event of loss of power. Given the recent history of power outages and potential for area disasters it seems to be advisable. Having a generator would provide a very large space in the event of a disaster. In the 1999 school improvement project the gymnasium was built. As part of that project, an emergency generator was considered for future development and equipment was installed. Specifically, electrical panels were put in place that would accommodate a generator. This would provide power to certain select areas of the building; the kitchen, heating plant and gymnasium area. At that time the budget did not allow for the installation of a generator.

Carl Schoder stated that at this time the school is looking to move forward with the generator project. They have an architect working on another maintenance project for the roof and soccer field. They have asked the firm to provide some size information for the generator and associated budget costs. He provided further details about the recommended size and specs. The power would be generated from diesel or propane. If they wanted to add additional space covered by the generator they could upgrade to a larger system for a reasonable increase in cost. Carl Schoder stated that the larger generator could allow use of classroom space. Carl Schoder stated that the budget costs for the project to install a 100KW generator would cost \$125,000 to increase to a 200KW generator it would be approximately \$200,000.

Carl Schoder stated that the use of the generator is two-fold, 1) in support of the educational program to keep the school open when power goes out for a few hours during the day, and 2) the availability to the community in the event of disaster. He stated that the school is looking to see if there is an interest from the TB in assisting and participating with the installation and costs associated with the emergency generator so the School Board can budget this item and bring it to reality. They have looked at grant opportunities and asked Senator Little for her opinion on a number of items. However, they asked prior to the State budget and she was somewhat negative on the feasibility of that. They intend on asking again now that the budget has been adopted. Carl Schoder stated that they have also contacted Brian LaFlure, Director of WC Emergency Services who indicated that emergency generator grants are harder to get. However he did send a list of granting agencies that deal with emergency preparedness that they will be following up on. The school district has limited resources and they are trying to pull it all together.

Councilman Maranville asked how much the school board would need. Carl Schoder stated that he doesn't have a number but they would take whatever commitment the TB would be willing to commit. Supervisor Conover stated that he has been through 2 hurricanes and some of the assets we have now have generators, such as the Highway and Health Center and we are looking to have one put on the Town Hall. He feels that it is a great idea for the school and he is inclined to support such a project. There have been times when private interests have been involved in the event of emergencies such as the Sagamore. Supervisor Conover stated that the correct thing to do is to be prepared. This is a perfect location to accommodate a large amount of people, there is parking and it is high and dry.

Councilmember Bolton stated that she is very supportive of the idea. As a community it is very important to have a crisis management plan. She stated that another place that has an emergency

generator is the firehouse but it is not handicapped accessible. The school has a lot more space to use in the event of an emergency. She feels that even though the additional power is \$75,000, we need to do it right. She agrees with the Supervisor that if a disaster does strike we could be on our own for quite some time and the school would best fit their needs. She asked if the school could come up with some firm numbers. Carl Schoder stated that the next step is to develop a detail design. He stated that better numbers will be available after that but the actual cost will not be available until the bid process starts because the cost will involve more than just the equipment itself.

Councilmember Wilson stated that the school is a perfect location for disaster preparedness. Councilman Maranville stated that he is in full support of the idea and hopes that we can work together more often. Supervisor Conover stated that he is looking forward to hearing more details.

- Tim Larson, LA Group

Tim Larson stated that we opened bids at 1pm yesterday. There was only one bidder that bid on the project; the Dock Doctors. The Dock Doctors were the contractors and installers for the pier improvement project in Rogers Park, so there is a good history. There were a series of base bids and several alternates. With the alternates and base bid the total was \$158,782. The initial budget range was between \$120,000 and 130,000 not including the canoe and kayak addition. Tim Larson stated that he would recommend the town accept the base bid and alternates 2-5 which is the entire dock system minus the canoe and kayak. If the Town does not accept the canoe and kayak launch at this time then it might be a little more difficult to add later due to the design.

Supervisor Conover stated that the bid came in on budget, especially because we still want to do some work on the south dock as well as other projects in the park. He would support Tim Larson's recommendation. He asked about the time frame. Tim Larson stated that site work could begin quickly. He stated that the system takes about 6-8 weeks which would put the system in mid-July.

Councilman Maranville suggested that we consider installing the canoe and kayak launch. He stated that this will cost more money in the long run if we were to install at a later date.

Supervisor Conover stated that the installation and removal of this dock will be observed by the Town employees as well as other local companies so that in future years we have that corporate know-how so if we were to elect not to use our own crews we would have someone to call. Tim Larson replied that this is part of the contract. Supervisor Conover thanked Tim Larson for a job well done.

- Chris Navitsky

Chris Navitsky stated that they are holding their 4th Annual Low Impact Development Conference on May 2nd from 8:30am-4:30pm. It is open to the public as well as any of the Board members. The Conference brings in national and international speakers on the subject of low impact development. They offer engineering and continuing education credits for professionals and also provide the land use training for the local board members, which is required by NYS.

The conference is at no cost and lunch is provided. Registration is available on the Lake George Waterkeeper's website. Chris Navitsky stated that they have been a bit disappointed by the attendance by local Board members. Supervisor Conover stated that all the Planning and Zoning Board members have received this information.

Correspondence:

- Alexander Gabriels copy of memo to Bolton Local Development Corporation regarding boat washing and invasives.
- Paul V. Tymchyn, V.P. Sales for Earth, Waste and Metal, Rutland, Vermont regarding possible services to the Town of Bolton and thanking us for meeting.
- State of New York Public Safety Commission electric safety transmission and distributions standards issued and effective March 22, 2013.
- Catherine M. Foy, Cate's Italian Garden intent to renew NYS Liquor License.
- John A. Lavender II, FOIL request to Bolton Town Clerk, March 22, 2013.
- Champlain Watershed Improvement Coalition of New York 2012 Annual Report.
- Faith Miller and Holly Whipple opposing Somewhere In Time approval for a larger venue.
- Richard E. Weber III, Deputy Director, Adirondack Park Agency notification that a two lot subdivision project application from Richard and Lynn Kudlack, Lake Shore Drive, is complete and under review.
- Jaylene Cotton regarding Town advertising support for Wakonda House on Wiawaka property to support re-opening of the Wakonda Lodge on June 29th, 2013.
- John S. Mucha, Director of Governmental Relations, Time Warner Cable regarding possible changes to Time Warner programming and changes in services.
- Adirondack Park Agency regarding installation of benthic barrier mats for purposes of controlling asian clams and to transfer agency permit 2011-159A from the Fund for Lake George to the Lake George Park Commission.
- Adirondack Park Agency regarding installation of benthic barrier mats for purposes of controlling asian clams in Lake George and to transfer agency permit 2012-44 from the Fund for Lake George to the Lake George Park Commission.
- Adirondack Park Agency regarding installation of benthic barrier mats for purposes of controlling asian clams in Lake George and to transfer agency permit 2012-49 from the Fund for Lake George to the Lake George Park Commission.
- Mike Swan, Warren County Treasurer to Receiver of Taxes and Tax Collectors regarding new procedures regarding reconciliations of 2013 tax rolls.
- David Decker, P.E. Director, The Lake George Watershed Coalition regarding meeting on March 20, 2013.
- Barbara Sweet, Chairperson regarding Wakpominee Good Scout Award Dinner May 2, 2013.
- Sally Defty regarding assistance with location for Weight Watchers meetings.
- FOIL request Mr. Jeffrey Meyer, Fitzgerald Morris Baker Firth PC regarding 114 Pioneer Village Road.
- FOIL request Thomas A. Ulasewicz, Fitzgerald Morris Baker Firth PC regarding parcel 171.07-2-38 and 171.07-2-37.

- Bryan Smead, MD to Zoning Enforcement Officer Mitzi Nittmann regarding Health Officer inspection at 251 New Vermont Road.
- Bruce O. Lipinski, Bartlett, Pontiff, Stewart and Rhodes, P.C. on behalf of Edward Foy, Jr. and Jennifer Foy regarding new liquor license application for 15 Allens Alley, BL Chateau, LLC.
- Michael S. Simberkoff, MD regarding septic tank variance request for home on Hiawatha Island and his inability to attend meeting.
- Tim Larson, LA Group regarding bid for Veterans Park Floating Dock Improvement Program.
- Chris Navitsky, Waterkeeper regarding May 2, 2013 Conference on Low Impact Development.

Committee Reports:

Councilman Robert MacEwan

Water- Flows through the plant before deductions: 5,754,024. After: 5,168,063. Monthly bacteriological samples came back satisfactory. They will begin reading water meters starting April 10th. Hydrant flushing is set for the week of April 22nd. The water department is satisfied with their new 2013 Ford F-250 pick-up.

Transfer Station- Total receipts \$6,100. Saturday March 30th was a very busy day with the Spring Clean-Up Cards, over \$1000.00 in cards. Lisa is going to start receiving quotes for clean-up of the brush pile.

Sewer- took in 2,766,800 gallons of waste water for an average of 89,252 per day. Samples were done and mailed with no violations.

Councilman Owen Maranville

Police- They patrolled 3,044.3 miles and used 192.1 gallons of fuel. Bolton Police Department Chief James Nuemann represented Bolton at the Annual Blue Friday held in March in Saratoga Springs. The event is held for all the fallen police officers and raises funds for cops in terms of the survivors. The organization supports family members of those injured in the line of duty. The police have increased visibility at Bolton Central School. They are doing foot patrols as well as more radar. An itemized list of all the calls answered is available for review.

Highway- Cutting brush on Potter Hill Road. Cutting brush on Upper and Lower Brereton Road. Plowing roads during snow storms, one of which was significant. Graded and raked dirt roads. Thawed numerous frozen culverts. Repaired washout at Trout Falls. Removal of snow along Main Street.

Assessor- During March the computer file was continuously updated to keep up with deed transfers and address changes. With regard to sales, he had only 1 additional arms length sale to report. The count since July is 34. During March his focus has been on building permits. He finished his field work by mid-month. On March 26, he attended the monthly meeting of the WC Assessors. Near the end of March, a news story by the Post Star reported that people receiving the STAR exemption will have to re-register before April 1, 2014. This led to a flood of calls and even office visits from people ready to sign up again. The State which incidentally pays for

the STAR exemption is planning for having people with the basic STAR re-register. The process which has not been finalized, will involve the State sending a letter to everyone who needs to re-new and will explain the process. He is not positive, but this may all be done directly with the State. He will provide more on this when he learns more.

Justice- For the month of March, Hon. Harry Demarest took in \$5,375 and Hon. Ed Stewart took in \$6,855 . Total monies forwarded to the Town \$12,230.

Councilmember Susan Wilson

Code Enforcement- Submitted a 17 page report, 7 sites visited.

Library- Cabin Fever Party held on March 9th was a success and well attended. Library is looking to do it again next year at the Community Center. The Library continues to look for recipes for their cookbook. Please bring any recipes you would like to have included in the cookbook to Megan at the Library.

Councilmember Cheryl Bolton

Bolton EMS- in February they had 14 calls. From May 1st to November 28th they had 278 calls. Staff for February they had 16 paid medics and 4 paid drivers. Payroll expense for February was \$12,333.54. They are working diligently to cover all shifts. They are interviewing for some positions. The Fire District was kind enough to work with the EMS in allowing for some space for the 24 hour coverage. There is a bunk room which is allowing it easier to fill the shift.

Recreation- Rec Commission met on March 28th. Attendance at the Center: January-98, February-53 and March-92. The Bolton Summer camp has been in operation since 2005, Michelle provided an overview of the camp numbers over the years which has a comparison of Bolton Central Students versus out of the district campers. The Aquatic Director's position will be split. In the past the director served as the Instructor Trainer, Camp Aquatics Director, Lifeguard Supervisor, Camp WSI (Progressive Swim Instructor), and Guard Start Instructor. This season the Aquatics Director will no longer teach swim lessons but oversee the lessons and the WSI will report to the Aquatics Director and assist with gathering water samples, supervising day camp and both beaches. At this time she is not offering Guard Start for the summer season. This season we will not have an Instructor Trainer available and she will make a recommendation as to it may be beneficial in having one in the future at the end of the season. Michelle is in the process of updating the Bathing Beach Safety Plans, that are done every 3 years, both plans have been updated to meet the new DOH requirements as well as contain a new section on the AED's. The submissions have been made to the DOH for approval. Michelle stated that it has been suggested that a program be developed for youth ages 12-14. She has been considering it, but has not determined if it will be possible to add additional programs to the already busy summer season. A possible expansion of the Day Camp is a possibility, she is looking into DOH code requirements.

Parks- They have been working on the trenches at Veterans Park for their service line. They have been cleaning out the shop area. Snow removal and updating their equipment. They have been assisting the Highway Department with cleaning the streets. Councilmember Bolton commended their efforts.

Supervisors Report:

- Receipts: \$111,948.94
- Disbursements: \$568,963.41
- Warren County Sales Tax: February up 0.5% year over year
- NYS CHIPS funding for 2013 increased \$25,122.06 to \$115,466.17.
- Veterans Park Dock: OGS Lease Executed and Bids have been received.
- Historical Society Building Stain Project is out to bid per board authorization, bids to be received April 19, 2013.
- Flag pole at Little League Field – Presentation scheduled for May 4, 2013 at 12:30.

Supervisor Conover stated that we will be installing the pole here in the next few weeks in preparation of the presentation. He stated that the Little League is choosing a placement for it. Councilmember Wilson stated that the Woodmen of the World are also presenting the laptop to the library at the Sagamore on May 5th. Supervisor Conover stated that they are also presenting the Town with a plaque which will have a mounted base and will be installed with the flagpole.

- 2013 Highway Improvement Program (Potter Hill Road, Edgecomb Pond Road)

Supervisor Conover stated that we have discussed adding some additional work to address both roads. However in doing so we are overshooting the budgeted amount. Even though we increased this line item it will still go over the anticipated budget. The Highway Superintendent has reviewed this proposal and agrees that if it is possible to go ahead and do both roads. However if we feel that it is too much and decide to do one road, he recommends doing Potter Hill. Supervisor Conover stated that he would like to have input from the TB members over the next few weeks. He feels that we could do both roads this year and if we got that done we would be in a much better position going forward.

Supervisor Conover stated that he asked County Highway Superintendent regarding milling and paving Veterans Park and Town Hall parking lot. He should have those numbers shortly.

Supervisor Conover provided pictures of the stocking program at Trout Lake. It was very successful once again. This shows the importance of maintaining that fishery, not only to the people that live on Trout Lake but for the visitors and other community members as well. The Board has already authorized stocking again this year. He indicated that he passed these pictures along to NYS DEC as well.

Old Business / Tabled Resolutions:

- Solar Project: No report
- 824 Trout Lake Road
- Dry Hydrant on New Vermont Road (Spring 2013 Project)

New Business:

- Resolution regarding the Bolton School District Emergency Generator Project.

RESOLUTION #92

Councilman Maranville moved, seconded by Councilmember Bolton to support the Bolton School District Emergency Generator Project pending further information. All in Favor. Motion Carried.

- Resolution authorizing Supervisor to sign assignment of claim and release on behalf of the Town of Bolton relating to property acquired by NYS DOT as part of Route 9 Project to be paid to Norowal Marina Inc. in the amount of \$4,500.

Supervisor Conover stated that this is property owned by Norowal that was acquired by NYS for the improvement project. We are required to sign off because of the mortgage lien position.

RESOLUTION #93

Councilmember Wilson moved, seconded by Councilman Maranville to authorize Supervisor to sign assignment of claim and release on behalf of the Town of Bolton relating to property acquired by NYS DOT as part of Route 9 Project to be paid to Norowal Marina Inc. in the amount of \$4,500. All in Favor. Motion Carried.

- Resolution authorizing Jodi Connally to attend NYS Clerks Association Annual Conference in Buffalo, NY on April 28-May 1, 2013.

RESOLUTION #94

Councilmember Bolton moved, seconded by Councilman Maranville to authorize Jodi Connally to attend NYS Clerks Association Annual Conference in Buffalo, NY on April 28-May 1, 2013. All in Favor. Motion Carried.

- Resolution designating interim Bolton Town Clerk, Jodi Connally as tax, water and sewer collector.

RESOLUTION #95

Councilman MacEwan moved, seconded by Councilmember Bolton to designate interim Bolton Town Clerk, Jodi Connally as tax, water and sewer collector. All in Favor. Motion Carried.

- Resolution authorizing appointment of Pat Cushing to 5 year term appointment to the Bolton Recreation Commission term to expire 12-31-2019 and Tammi DeLorenzo to 5 year term appointment to the Bolton Recreation Commission. Term to expire 12-31-2018.

RESOLUTION #96

Councilmember Bolton moved, seconded by Councilmember Wilson to authorize appointment of Pat Cushing to 5 year term appointment to the Bolton Recreation Commission term to expire 12-31-2019 and Tammi DeLorenzo to 5 year term appointment to the Bolton Recreation Commission, with a term to expire 12-31-2018. All in Favor. Motion Carried.

- Resolution regarding occupancy at 251 New Vermont Road.

Supervisor Conover stated previously the TB made safe an open septic tank on the property a few years back. Our Code Enforcement Officer noticed that periodically someone was staying at the house. He stated that this becomes a growing health issue and we had Dr. Smead do a site visit and he has written a letter regarding the matter. He asked Counsel what our options are.

Counsel Muller explained that this is still a health hazard. This past winter this issue was discussed by Mike, Sue, Pam and Mitzi at which time Counsel was reluctant to proceed because of the concern the occupant would have no place else to go. The time is now right to proceed with court action, as there has been no positive movement on the part of the homeowner. The

owner has been contacted and agreed that it is an unacceptable proposition and that he was going to do something about it but it didn't happen. The Town of Bolton has exhibited all of the patience it should have, as Mr. Dumas has been contacted by phone and mail. Counsel Muller stated that the Town now needs to pursue legal action to prohibit someone from living in the dwelling until the situation has been corrected.

RESOLUTION #97

Councilmember Wilson moved, seconded by Councilman MacEwan to authorize Counsel and Code Enforcement Officer to take any and all actions necessary to move forward to make sure that this residence is no longer occupied. All in Favor. Motion Carried.

- Resolution regarding award of Bid for floating dock work at Veterans Park.

Councilman Maranville stated that he would like to see the kayak launch added to the bid or to at least look at adding the brackets to put this launch in at a later time. Supervisor Conover stated agreed that it is an avenue that we could pursue that because the kayak and canoe population is growing. However he is not sure how important this is for those individuals. Councilman Maranville stated that he feels that it is important. He stated that he has some friends that are kayakers and they are terrified to go on Lake George because of the boaters. Expanding and showing some appreciation for those individuals would go a long way.

Tim Larson stated that the add alternate for the canoe and kayak launch includes some additional structural work to the adjacent dock. So if we were to say ok to this, there would still be an upcharge to work on the adjacent dock. Coupled with that, there attachments on that outer edge that would have to be installed now which would be open and exposed. The Dock Doctors were a little hesitant to say that they could do it at a later date. One thing that could be done is to award the base bid and go back to the Dock Doctors to discuss a design that incorporates the canoe and kayak launch to help bring the cost down. Supervisor Conover agreed that this would be a good approach and we could approach some local experts like Ike Wolgin to review the design and provide some feedback.

RESOLUTION #98

Councilman Maranville moved, seconded by Councilman MacEwan to award the base bid and all add alternates 1-5 for the floating dock work at Veterans Park to Dock Doctors for the amount of \$158,718. All in Favor. Motion Carried.

- Resolution authorizing Mitzi Nittmann, Bolton Code Enforcement Officer to attend Adirondack Park Local Government Day Conference on April 25, 2013.

RESOLUTION #99

Councilmember Wilson moved, seconded by Councilman Maranville to authorize Mitzi Nittmann, Bolton Code Enforcement Officer to attend Adirondack Park Local Government Day Conference on April 25, 2013. All in Favor. Motion Carried.

- Resolution designating May 13 and 14, 2013 as Senior Garbage Pick-Up Day.

RESOLUTION #100

Councilmember MacEwan moved, seconded Councilmember Bolton to designate May 13 and 14, 2013 as Senior Garbage Pick-up Day. All in Favor. Motion Carried.

Public in Attendance

Zandy Gabriels

David Mc Comb

Comments about the generator project.

Transfers: None

Pay the Bills:

RESOLUTION #101

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

	Voucher	Amount
March Mid Abstract 3A		
General	304-315 317-320 322-325	41,946.86
Highway	116	16.54
Sewer	59-61 66	5540.03
Water	69&70	1624.75
Lights	316&321	402.66
Vets Imp. Project	4	500.00
April Abstract		
General	257-303 326-365 367-369 371-376	\$43,079.88
Highway	102-115 117-143	38,561.99
Sewer	51-58 62-65 67-72	6,967.01
Water	61-68 71-86	28,614.59
Lights	370	3,909.67
Vets Imp. Project	2-5	1,935.61
Conservation Park Special	3	186.90
Tourism	3-4	3022.00

All in Favor. Motion Carried.

Executive Session: Matters involving ongoing litigation

RESOLUTION #102

Councilman MacEwan moved, seconded by Councilman Maranville to enter into Executive Session at 8:23 pm to discuss matters involving ongoing litigation with no further business to be conducted. All in Favor. Motion Carried.

Adjourn:

Minutes respectfully submitted by:
Jodi Connally
Town Clerk

Minutes respectfully submitted by:
Kristen MacEwan
Minute Taker