

BOLTON TOWN BOARD

Pledge: Councilmember Robert MacEwan  
Year End Meeting

December 29, 2010

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

Call To Order: 7:00pm

Public Hearings: None

Public in Attendance:

Correspondence:

- State of New York Department of Public Service, Douglas W. Elfner regarding winter outreach effort.
- Galarneau Builders, Inc., Lucien Galarneau Jr., President, letter of introduction.
- Carl Schoder, Schoder Rivers Associates, PC regarding replacement cost estimate of new slip docks for insurance purposes.
- Adirondack Park Agency, project permit approval notification 2010-210, a two lot subdivision on the west side of the Schroon River Road.
- Thomas Jarrett, P.E., Norwood Drive Maintenance Report stating that conditions did not materially change from the spring report and the road appeared to be in good condition and the drainage appeared to be working as designed.
- Anthony DeFranco, DeFranco Landscaping, letter of introductions and information on the Environmental Protection Fund.
- Town of Hague resolution recommending that Warren County take the initiative to assist Towns in forming a group of Towns relative to Employee Health Insurance Plan offerings.
- Time Warner Cable regarding channel agreements and changes scheduled to take place around January 12.
- Marshall and Sterling Upstate Inc., regarding homeowner host liquor liability insurance relative to the Conservation Club Facility.

Supervisor Conover stated that Marshall and Sterling have been working on this insurance issue. They are exploring two options: 1) to have the applicant be the primary insurer relative to the event or 2) the possibility of commissioning special event insurance for Bolton apart from our standard policy. In this instance, the applicant would participate in that policy, which would move it from the Town's general liability policy to a special event policy. He stated that he will provide more

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details as he receives them. In the interim, he feels that they would want the applicant to provide them with a certificate of insurance.

Councilmember Rehm asked if this will just be for those events that are serving alcohol during the event. Supervisor Conover replied yes. He stated that it will take some time to get the application in final form with review from Counsel Muller. Additionally he would like to see what the insurance groups have to say.

- David Decker, The Lake George Watershed Coalition, regarding 2011 being the tenth year anniversary and plans for recognizing the coalition's accomplishments over this period and future challenges.

Committee Reports: None

Supervisors Report:

- Receipts: No
- Disbursements: No
- County Sales Tax collected for the month of November was up 7.2 % over 2009; overall through November total County sales tax revenue is up 1.4% over 2009. They will not receive their final payment for December until January. He is hopeful that it will be up as well.
- 2011 Town Tax rate per thousand is: .754, Lighting District is 9.4 cents per thousand, Fire District .422 cents per thousand and the County tax rate per thousand for Bolton for 2011 is \$4.586 per thousand (tax bills will be going out on the 30<sup>th</sup> of December).

Supervisor Conover indicated that they have some information from Sagbolt relative to a dormitory construction renovation project considering on the island. He stated that they have forwarded some flow rates and that they will be reviewed by the Sewer and Water Department.

Old Business / Tabled Resolutions:

- Lower Brereton Road
- Lake George Camping
- Finkle Brook, SEQRA resolution tabled November 3, 2010.

New Business:

- Resolution authorizing additional dock insurance in the amount of \$175,000 at an additional annual cost of \$437.50 for the Town of Bolton for 2011 (will bring coverage to \$325,000).

Supervisor Conover stated that he asked the LA Group and Carl Schoder to give us replacement cost estimates on the new finger docks at Rogers Park. He stated that currently they carry insurance on the finger docks at approximately \$150,000. The rate for the additional \$175,000 would raise the rate .25 per \$100. He feels that this is a good value and purchase should there be significant ice damage.

Councilmember Rehm asked if the \$325,000 would just cover the finger docks at Rogers Park. Supervisor Conover replied no, it would also cover Veterans Park as well. Councilmember Rehm stated that it is important to have the coverage and this makes sense. Councilman MacEwan agreed. Supervisor Conover stated that they could also look to increase this coverage down the road if they feel it is necessary. Zandy Gabriels asked if this would also cover the Huddle dock. Supervisor Conover stated that all of the Town docks would be covered under this amount.

#### RESOLUTION #254

Councilman Maranville moved, seconded by Councilman Maranville to authorize additional dock insurance in the amount of \$175,000 at an additional annual cost of \$437.50 for the Town of Bolton for 2011. All in Favor. Motion Carried.

- Resolution authorizing Supervisor to purchase 1997 tractor and broom from Warren County at a cost not to exceed \$5,000 (purchase recommended by Highway Superintendent).

Supervisor Conover stated that he has provided pictures and cost analysis to the Board members. Councilmember Rehm asked what they plan to do with the old sweeper. Supervisor Conover replied that they plan to use it as a back- up.

#### RESOLUTION #255

Councilmember Rehm moved, seconded by Councilman MacEwan to authorize the Supervisor to purchase 1997 tractor and broom from Warren County at a cost not to exceed \$5,000 (purchase recommended by Highway Superintendent). All in Favor. Motion Carried.

- Resolution setting January 4, 2011 at 7:00pm as the organizational meeting date to be held prior to the Board's regular January 4<sup>th</sup> meeting.

#### RESOLUTION #256

Councilman Maranville moved, seconded by Councilmember Rehm to set January 4, 2011 at 7:00pm as the organizational meeting date to be held prior to the Board's regular January 4<sup>th</sup> meeting. All in Favor. Motion Carried.

- Resolution approving payment of Watershed Conference Voucher dated 12/1/10 submitted by Dave Decker and approved by Kevin Millington, D.O.S., for \$25,089.79, Grant #6506 titled Lake George Watershed.

Councilmember Rehm asked if any of this work was in Bolton. Supervisor Conover replied no and it is cash they have on hand. Councilmember Rehm stated that she has no problem with it as long as it is something that the Supervisor has reviewed and the State intends to provide reimbursement when they are in position to do so.

#### RESOLUTION #257

Councilmember Rehm moved, seconded by Councilman MacEwan approving payment

of Watershed Conference Voucher dated 12/1/10 submitted by Dave Decker and approved by Kevin Millington, D.O.S., for \$25,089.79, Grant #6506 titled Lake George Watershed.

- Resolution authorizing Town Attorney and Enforcement Officer to begin enforcement action relative to Bernard and Trish Marki, 2 Braley Point, PO Box 1249, Bolton Landing, NY, tax map #171.07-2-38, regarding construction of structure without a permit and storage of animals.

Supervisor Conover stated that this goes back over 2 years. He provided some pictures to the Board members but indicated that they were not great documentation since they have not been allowed on the property.

Councilmember Rehm stated that she finds it disturbing that they have to spend taxpayer dollars on an issue of this sort. She asked if the Board would consider moving ahead with the resolution but holding it for action until after the February TB meeting. She also recommended sending a copy of the minutes to the Marki's showing that they have discussed the matter and are encouraging them to come forward and meet with the Town to see if a resolution could be met. She feels that this would give the Marki's one last chance and to let them know how strongly the Board feels and that they need to respond. She feels that if they do not come forward by February then they should take action. Supervisor Conover agreed that this was a reasonable proposal. Councilman MacEwan agreed. However, this has been going on for quite some time and they have not been very cooperative to this point.

The Board agreed to have the minutes available within a week to be able to provide adequate notice to the Marki's.

#### RESOLUTION #258

Councilmember Rehm moved, seconded by Councilman MacEwan to authorizing Town Attorney and Enforcement Officer to begin enforcement action after the February 2011 Town Board meeting relative to Bernard and Trish Marki, 2 Braley Point, PO Box 1249, Bolton Landing, NY, tax map #171.07-2-38, regarding construction of structures without a permit and storage of animals. All in Favor. Motion Carried.

#### Public in Attendance

Zandy Gabriels asked what contract the TB will be talking about during Executive Session. Supervisor Conover replied that it has to do with their CSEA contract.

Zandy Gabriels wished the Board a Happy New Year.

#### Transfers: Motion to approve Transfers

Councilmember Rehm stated that apparently there has been an under-funding of the Buildings and Grounds to the tune of \$12,000 and asked what prompted this. Supervisor Conover replied that they have started some projects not originally anticipated but he will

get complete information on that. Councilmember Rehm stated that she also noted that the garage is \$6,000 over budget. Supervisor Conover stated that he would provide that information as well.

Councilmember Rehm stated that one of the General Fund transfers is to increase the budget in the Recreation Department to show the Gore Mountain ski trips. She stated that it will end up being a wash because the money coming in will be going out. She stated that at the time of budget amendment they chose to handle these transfers, as needed, which is what that item is for.

RESOLUTION #259

Councilmember Rehm moved, seconded by Councilman Maranville to approve the following transfers:

FROM	TO	AMOUNT
<b>GENERAL FUND</b>		
90608 Health Insurance	14404 Professional Services	\$4,440.00
19904 Contingency	16201 Buildings & Grounds	3,114.00
19104 Insurance	16201 Buildings & Grounds	186.00
19104 Insurance	16204 Buildings & Grounds	8,141.00
11104 Justice Court	31204 Police	1,250.00
40104 Board of Health	42154 Drug Testing	9.00
19104 Insurance	50101 Superintendent of Hwys	621.00 Truck Benefit
45604 Health Center	50104 “ “	30.00
30972 Public Safety	51324 Garage	6,650.00
71804 Ballfield	71104 Parks	884.00
81602 Landfill	81601 Landfill	1,394.00

Increase revenue for ski trips 2025 \$6,327.00 Appropriations 71404 \$6,327.00

Conservation Park Transfer for Abstract \$321.82

**HIGHWAY FUND**

51302 Machinery	51304 Machinery	20,000.00
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**WATER DISTRICT**

90608 Health Insurance	83204 Source	375.00
83104 Administration	83304 Purification	4,600.00
83402 Transmission	83404 Transmission	1,838.00

All in Favor. Motion Carried.

Pay Bills:

RESOLUTION #260

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

	Voucher #	Amount
December Mid Abstract:12A		
General	1417-1431	\$4,306.12
Sewer	288-291	4,483.66
Water	284, 285	1,436.03
Highway	509	16.79
Lights	1432-1434	428.35

December Mid Abstract: 12B

General	1383-1415,1435-1473	41,744.97
Sewer	277-287,292-295, 297-300	14,495.64
Water	275-283, 286-295	7,382.97
Highway	476-508,510-514,516-525	51,464.46
Tourism	55-60	2,863.82

All in Favor. Motion Carried.

Executive Session: Supervisor Conover closed the regular meeting and entered into Executive Session to discuss a contractual matter at 7:20pm. No further business will be conducted.

Adjourn:

Minutes respectfully submitted by:  
Patricia Steele  
Town Clerk

Minutes respectfully submitted by:  
Kristen MacEwan  
Minute Taker