

TOWN OF BOLTON

Town Board Meeting

November 5, 2008- Minutes

PRESENT: Supervisor Kathleen Simmes, Councilmen Robert MacEwan, Jason Saris, Owen Maranville, Councilmember Deanne Rehm, Town Counsel Michael Muller, Town Clerk Patricia Steele and Zoning Code Enforcement Officer Mitzi Nittmann.

ABSENT: None

Meeting Called to order 6:30 p.m.

Pledge: Supervisor Simmes

Welcome to our November meeting

1st Public Hearing is on the 2009 Preliminary budget

The Town Board has worked hard on this budget.

The general fund budget is up only \$32,887. This is due largely to departments controlling their spending and allocated items that had been in the general fund expenditures is being paid from occupancy tax. We have budgeted funds for a new furnace and a new roof for the Town Hall which we will authorize through Bond Anticipation notes and will purchase a generator for the Health Center.

The Highway budget is up \$351,154 dollars. That department will be ordering a new $\frac{3}{4}$ ton pick-up and a new tandem dump truck with wing and plow, and a new rock body for the 95 autocar. This will eliminate the need to rent an off-road hauler. These items will also be funded by bond anticipation notes. We have increased the highway budget for road improvement for 2009 by \$50,000.

In order to achieve the tax rate at last year's figure of .7333 cents per thousand we have increased our revenues for both the General & Highway departments and dipped into our fund balance.

The Fire District budget is up \$10,685. The new tax rate for the Fire district will be .4316 cents. The light district rate will be .109 cents

The Water budget is \$437,150 and the Sewer budget is \$327,315. Both these figures are raised from revenues and water & sewer rates, which are based on a flat charge and usage.

Open the hearing for any questions or comments on the budget. There were no comments from the public in attendance. With regard to the Highway Appropriations, under Equipment, Councilmember Rehm asked that most of the new equipment to be purchased is listed and asked how the rock body will be paid for. Supervisor Simmes further explained the proposed expenditures. Supervisor Simmes stated that they would leave the hearing open so that the public could look it over before they vote on whether to adopt the budget or not.

2nd is the **open public hearing** on the Water district parcels

-1st Parcel Tax Map #156.00-1-33 Land situate on Finkle Road and Water Plant Road. Reputedly 60.02 acres Assessed at \$54,100 Appraised at \$200,000

-2nd Parcel Tax Map #155-1-44 Approximately 44.5 acres. Assessed at \$75,200. Appraised at \$300,000

Supervisor Simmes stated that the TB is looking to sell both of these parcels and they have decided to leave the public hearing open to this point. There were no comments from the public in attendance.

Councilman Saris stated that neither of these parcels serves a real purpose for the protection of the watershed or water supply and they are not presently used for any purpose by the Water Department. It is not the Water District job to be a holding company for land parcels but it is important to own properties to protect the water source but other than that it makes no sense. Councilmember Rehm stated that Councilman Saris has made the most important point that the Water District isn't in the business of owning land, they are in the business of providing water to the members of the Water District. Beyond that the Water District is in financial straits and they are indebted to the General Fund by about \$170,000 and that is money the General Fund could put to good use. At this point the only way to pay back the General Fund would be to raise fees within the Water District. Councilmember Rehm stated that she would like to have the properties offered for sale with sealed bids. She stated that if it is not successful then they have not done any harm and they can move ahead and look at other alternatives for use of the land. Supervisor Simmes stated that they have discussed putting a minimum bid of \$425,000 on the parcel by David Smith and David Rehm and \$200,000 on the other parcel. Councilman Maranville stated that this isn't going to fix the Water District's financial problem in the long run. Supervisor Simmes agreed but stated that it will be a big help in the present.

Resolution #204

Councilmember Rehm moved, seconded by Councilman Saris to close the public hearing on the sale of Water District parcels #156.00-1-33 and 155-1-44. All in Favor. Motion Carried.

Public in Attendance

Rolf Ronning provided a letter addressed to the TB. He explained that since the real estate market is tough he has gotten himself into a box because of Saddle Brook. The PB required that he have a performance bond to complete the road. He stated that bonding companies do not want to do performance bonds for projects like this and he doesn't have \$150,000 cash and he is trying to figure out how to finance building the road so that he can sell lots. He stated that other towns do not require this type bond. He stated that he wants to build the road because he has interested parties in buying the lots as the road is constructed but he doesn't have the money to come up with the \$150,000 to build the road. He stated that he started thinking about the \$4 million dollars that the Town has just received and thought that maybe he could give them an interest payment or whatever cost the TB decided would be

proper in exchange for the Town holding this money for him. He stated that he thought that some of this economic development money could be used for someone who is in need like himself. He stated that he has a contractor to complete the road but he doesn't have the bond money and he wants to build the road before he is delayed due to weather. He stated that he is seeking some relief or to see if something could be done to help him and he doesn't know the procedure. He stated that until a few years ago there were no bonds and it started with Bell Point Shores, Wright's Farm and Westwood Forest. He stated that he has either had a bond or paid cash, but now he does not have that and he doesn't have a place to get it. He stated that he has tried various insurance companies who have quoted a very high rate and some won't even issue these types of bonds because of the financial crisis. He stated that they will bond the contractor for their work but they will not bond the Town of Bolton.

Supervisor Simmes asked how long the performance bond is used. Rolf Ronning replied that it is used until the final sign-off from the Town engineer. He stated that they anticipated the paving to be in May and they would sign-off in phases over the fall and winter, but the final sign-off would be before Memorial Day. Supervisor Simmes asked if this was allowable to do. Counsel replied yes, but within certain parameters which they can discuss in Executive Session. Councilmember Saris asked if performance bonds are required of all developers or is it just something the PB did on this project. Counsel replied that the PB did do this for Saddlebrook but it is not the first time they have done it. He stated that the code specifies the word "shall" but it is not applied in all cases. He stated most times the magnitude of the project determines whether or not a bond is required. Councilman Saris stated that it concerns him that according to Rolf Ronning this is not something that insurance agencies do anymore. Counsel stated that he is not sure that he shares that opinion but he will acknowledge that it is extremely expensive and the premiums are quite steep. He stated that these bonds are unsecured so the premium is open-ended. Although Rolf's preferred schedule is to be done by Memorial Day, his past experience on this same type of bond for the Town of Bolton is that they are meant to last 6-9 months but can last in some cases 2.5-3 years later. He stated that the last one they had went very well but it took an extra long time and it is terminated when the Town Engineer is satisfied that the project is substantially in conformity with the approval of the PB. Councilman Saris stated that he is concerned that they are granting someone permission to do something but then requiring them to provide something that is impossible to get. Rolf Ronning stated that if they would be willing to use the Urban Development money, he is prepared to pay a premium or to do something good for the Town, by paying interest on the money they are holding as a bond. He stated that he is currently stuck and cannot develop the property because there is no money there for the bond and he cannot sell any lots until the road is done. Counsel stated that Rolf Ronning is not completely stuck and suggested that he return to the PB to possibly negotiate having a personal guarantee. He stated on this project the PB had a much higher number and he had suggested to the PB that they could accept your proposal because he is local and they did. Rolf Ronning stated that there have been many of his subdivisions and others where no bonds were required. He continued that other Towns like Lake George and Hague there is no bond required. He is not saying that they are wrong to require a bond, but he is telling them because of economic times he cannot come up with one. He stated that he feels that this request falls in line with the use of the Urban Development money. He stated that this is a 23 lot subdivision with 23 new homes if he could get going. Councilmember Rehm asked Counsel if he was suggesting that Rolf Ronning return to the PB with an offer of personal guarantee. Counsel replied yes and he feels that is a definite possibility. Rolf Ronning stated that he appreciates the suggestion however he has missed the deadline to submit in order to be placed on the November agenda and therefore would have to wait until December and he is afraid it would be delayed further if they wished to discuss it further with the TB. He stated that he has people ready to build the road now and a decision might not be made until January and the ground will be frozen and they will have lost another season. Councilman MacEwan asked if the PB could make an exception and hear this on the agenda this month. Counsel replied yes. Supervisor Simmes stated that she would speak to Pam Kenyon and request that he be heard at the November meeting. Rolf Ronning asked if the TB could make any recommendation to the PB with regard to this matter. Counsel stated that he would prefer that the TB not persuade, encourage or discourage the PB.

Rolf Ronning stated that the second part of the letter is an entirely separate thing. He has a group of people that have looked at the Westwood Forest property on the opposite side of the road from Adirondack Extreme. These individuals are from a pellet plant in Vermont where they have municipal funding. These municipalities or counties have some sort of development grant money that would be paid back. He stated that the cost to build would be \$4-6 million dollars and they can get 2/3 of the funding but need 1/3 of the funding from some other source and this would be paid back in a few years. He stated that he didn't want to get too involved in it because he didn't know what chance they have. He stated this would be a great location for a pellet plant. It would be a year round facility, creating 25-35 jobs, it would operate without any noise or pollution and there is enough land there so that the plant would be hidden. Supervisor Simmes stated that someone else would need to be involved to present some sort of business plan. Rolf Ronning stated that if there is an interest he would arrange to develop a presentation. Supervisor Simmes asked what amount of money would be requested. Rolf Ronning stated that if there was a commitment to build a \$6 million dollar plant they would be looking for \$1.5-2 million dollars to be returned to the Town in 3-4 years. Supervisor Simmes stated that the TB would need some time to discuss this and get back to him. Councilmember Rehm asked if he has spoken to WC Economic Development or Warren/Washington IDA because their whole purpose is for economic development. Rolf Ronning replied no and that the Town was the first people he wanted to talk to especially since they have just received that money. Councilmember Rehm stated that he should still bring one of these groups in because they can help a lot with advising in business plans. Rolf Ronning stated that he would be willing to do that if the TB was showing interest in the idea. Supervisor Simmes stated that they would need a lot more information before they would even give it further consideration. Rolf Ronning stated that he would get more information to them.

Announcements

Beginning December 1st through April 1, of 09 Water Plant Rd from Sue Huck property to Potter Hill and Padanarum Rd. from Comstock Rd to Wardboro Rd will not be maintained.

The Town of Bolton has been very fortunate again this year by being awarded the following two grants: One for the construction of our town pier in the amount of \$250,000, and a grant to finish our Local Waterfront Revitalization Plan in the amount of \$17,000.

Schoder River Associates and the LA Group are working with previous grants for construction documents for the pier and a plan for Rogers Park.

The end of December we should receive our mortgage tax check which will amount to about \$125,000 more than budgeted for 2008. Our 3rd quarter sales tax check amount was \$821,220.89. This check gives us \$433,390.92 more than we budgeted for revenue in 2008. This puts Bolton in a very good financial position.

The October Fall Festival was a resounding success.

December 6th and 7th will be "Christmas in Bolton". There is an art show scheduled for the Town Hall.

The Town festivities in the Park are from 2 pm to 4 pm with the lighting of the new Xmas tree at 4:00 pm. The new tree is a Fraser fir between 8 and 9' tall. It was donated by Sagbolt LLC, the new owners of the Sagamore. It was bought from a nursery in Galway, New York, and was planted on October 27th. The old tree was removed by the Parks Dept. crew.

The BL Hamlet Sustainability Committee held their Public Information meeting. It was well attended and it was interesting how many of the ideas from the public were the same. The LA Group will be compiling the information and holding another PIM in January.

ZONING ISSUES

Harold Raven is an ongoing issue

Postpone decision on the Elmer Clark property due to family problems.

Counsel stated that all of the Clark's are deceased and the current owners who are the family are fighting amongst themselves in a Massachusetts Court. He stated that he has been in communication with the lawyer that is involved. Supervisor Simmes stated that one of the sons is interested in fixing up the porches so they will give them some time.

COMMITTEE REPORTS

Councilman Saris

Town Clerk- Total local shares- \$9,620.99, non-local revenue- \$1,387.16 Total State, County and Local revenue- \$11,008.15.

Sewer Department- Took in 4,509,800 gallons of waste water for an average of 145,477 gallons a day. There were no violations and they have serviced the blowers in the E2 tank. The generator at the South Station has been repaired. They did well with the annual DEC inspection. There has been an ongoing Inflow and Infiltration problem and one of the sources has been coming from Green Island. They smoke tested the sewer system on Green Island to try and find the source and they didn't find very much. They did find one pipe with water flowing through it but no one is quite sure of the source of that pipe and it is currently under investigation. The new owners were very cooperative and eager to help and offered to allow the crew to go over when it rains to check manholes to try and get some direction on where the increased flow comes from when it rains. Hour meters will also be installed on the pump station to see how long the pump runs.

Councilmember Rehm

Recreation Department- She stated that she shared with the TB members the Recreation Directors report. She stated that on the Town website the Rec Department has a link which lists the upcoming events and programs. She stated that there is even information on the summer program, since it is so popular. She also noted that the fees will be increased this year. Although the Town subsidizes the program quite a bit all of the attendees said it was well worth the money and they would like to at least try and cover their costs. November's calendar of events is now available. With regard to the ongoing geese problem, they have asked Deb Gaddy, who is an instructor at Bolton Central School, to take this issue back to the students in an environmental science class to do some research to come up with some ideas to handle the situation.

Library- The Library had a very successful tour at the Town of Newcomb and is interested in doing these historic tours at least once a year. Ted Caldwell, Town Historian and member of the Historical Society, is very interested in trying to keep people informed about our local history and the Library is using it as a

fundraiser. Over the summer the Library did a program on Katrina Trask and it was very well attended. Betty Spinelli was the speaker and has volunteered to do this again on November 12th.

Seniors Center-

Their Christmas outing is on December 6th, anyone of reasonable age is welcome to attend, they will be going to Vermont for lunch and to enjoy the day.

Councilman Maranville

Assessor- During the month of October the daily work of deed and map maintenance was kept timely and the file was sent to the County at the end of the month which will be used to generate the January tax bills. A list of name changes will be kept to pass along to the tax collectors. The number of property sales continues to be down even though prices seem to be holding. During October Mike Swan, the County Real Property Tax Director, submitted his report to the Board of Supervisors on the subject of consolidation of assessing services. In said report he covered the expenses associated with going to the County-wide assessing, having Towns contract for assessment services or forming either one County-wide cap or multiple caps like we have now with Lake George. Mr. Swan made no recommendations even though he stated that when Warren County on a whole was doing very well with the present system in place, his report was sent to the County Real Property Committee for future consideration. A letter from Warren County Assessor's Association was also read into the record at that time, asking to be a part of any future considerations. During October a data quality edit was undertaken and corrections were made where necessary. They also addressed a special request to provide mailing labels of properties receiving Veteran's exemptions. On October 28th he attended the Warren County Assessor's Association meeting in Lake George. At the meeting they had special guest Dan Vincilette, an attorney who specializes in municipal affairs, who offered a number of suggestions towards negotiating and settling cases.

Police Department- Chief James Neumann patrolled 2,779 miles and used 207.8 gallons of fuel. He stated that there is a 2 page list of all the calls that they answered and assists that they had.

Justice Department- Hon. Harry Demarest- \$7,485.00 and Hon. Edward Stewart- \$5,150.00 Total- \$12,635.00. Itemized lists are located in the Court.

Councilman MacEwan

Transfer Station- Total receipts- \$6,576.00. Batteries were taken to WC for recycling and Lisa French is going to attend a recycling program for electronics (ELOT)

Supervisor's Report

Receipts: \$5,365,609.55 Disbursements: \$962,806.17

On a County level the Supervisors are working on the budget. There will be another County budget meeting on November 7th. Supervisor Simmes will have a better handle on the tax rate for Bolton on Friday, but right now they are projecting the rate to go from \$4.05 to \$4.17.

CORRESPONDENCE

Copy of final release and satisfaction of indebtedness for Green Island Associates.

APA renewed permit granted to Sagbolt, LLC and permit for dredging of a man-made pond on property owned by Woodshire Estates.

APA permit granted to The Lagoon Manor Homeowners Association, Inc.

Thank you note from Health Center to Parks Dept. They are requesting to maintain the Health Center gardens next year. The Town buys the flowers and they plant them.

Cool Ins. Notification that they will not be quoting us for our insurance.

Copy of letter from Sam Hoopes concerning the FBO operator for the Warren Cty airport.

NYS DEC annual SPEDES compliance inspection for WWTP. Report stated that they are doing an excellent job.

We have received a copy of the survey for Bixby Beach. Supervisor Simmes has given copies to Sam Hoopes for Home Place to review. Supervisor Simmes stated that they have just received the letter from their attorney and the TB will not be ready to act on that yet. Supervisor Simmes asked if Home Place has totally approved it. Counsel replied yes with conditions.

WC Youth Bureau notification that there may be a reduction in funding from the State.

Greater Glens Falls Transit will be developing a transportation Development Plan

Attorney letter representing G,H,H, B-Ton, Inc. with concerns about possible violations for the Algonquin. Our Code Enforcement Officer found no violations.

Notice from Finch Paper LLC that they will be timber harvesting on the The Nature Conservancy's River Bank Tract.

Time Warner notification of possible channel changes

OLD BUSINESS

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NEW BUSINESS

Action on the 2009 budget

Zandy Gabriels stated that it was a good budget with very little increase in taxes. He stated that he is a little concerned with the reduction on the mortgage tax. He feels given the current economic condition that the figure might be hopeful. He asked about the increase to personnel service for playgrounds. Councilmember Rehm replied that the increase is due to the Recreation Director receiving a decent raise and the camp counselors and lifeguards for the summer. They pay them well to keep them because it is such a limited season and the lifeguards now come in earlier.

Zandy Gabriels stated that they used to use flood control to handle stormwater issues but he sees that they zeroed that out and there is now no money allocated to help if they should have a serious stormwater issue. He also questioned them taking the publicity requirements, approved by referendum in 1975 off the budget and putting it into bed tax. He stated that although it may be legal he just thinks that it is not the right thing to do with bed tax money. He stated that he understood that bed tax was to be used for something new and different for the Town of Bolton and its tourist economy and not to supplement an action that they have already undertaken for the past 30 years. He stated that it is a small amount and both the general fund and the bed tax special allocations can handle it but he just feels that it is the wrong potential use of shifting those funds off of the general taxpayers because 30 years ago it was an obligation of the entire community and now it is the obligation of only those people that collect the bed tax and he feels that it should go back in the general fund purposes.

Supervisor Simmes asked the TB if they felt there needed to be any changes.

Resolution #205

Councilmember Rehm moved, seconded by Councilman MacEwan to close the public hearing on the 2009 Budget. All in Favor. Motion Carried.

Resolution #206

Councilman Maranville moved, seconded by Councilman Saris to adopt the 2009 Budget for the Town of Bolton. All in Favor. Motion Carried.

Sale of the Water district parcels

-1st Parcel Tax Map #156.00-1-33 Land situate on Finkle Road and Water Plant Road. Reputedly 60.02 acres Assessed at \$54,100 Appraised at \$200,000

-2nd Parcel Tax Map #155-1-44 Approximately 44.5 acres. Assessed at \$75,200. Appraised at \$300,000

Counsel suggested that they convene as the Board of Water Commissioners. He stated that this is great in terms of the proposed sale. The real sale comes about when they have a real purchaser. They will enter into contract and the contract will specify that this will be subject to further review by the Board and the Board's resolution is then subject to mandatory referendum.

Resolution #207

Councilmember Rehm moved, seconded by Councilman Maranville to adjourn the regular meeting and convene as the Board of Water Commissioners. All in Favor. Motion Carried.

Resolution #208

Councilmember Rehm moved, seconded by Councilman MacEwan to declare tax map parcels # 155-1-44 that is approximately 44.5 acres and 156-1-33 that is approximately 60.02 acres as surplus properties for the Water District and to offer them for public sale, duly advertised in the newspaper of record with sealed bids to be returned by December 10, 2008 at 12:00 pm, with a minimum bid of \$425,000 and \$200,000 respectively. All in Favor. Motion Carried.

Resolution #209

Councilman Maranville moved, seconded by Councilman MacEwan to return to the regular meeting. All in Favor. Motion Carried.

The Great Champlain-Hudson Sojourn is a kayaking & camping event. They will begin at Rouses Point and end in Manhattan. They would like permission to camp at Veterans Park the night of July 1st which is a Wednesday and they will be gone early in the morning on the 2nd. Councilmember Rehm asked if they know that they do not have showers for them to use. Supervisor Simmes replied yes and these individuals will be eating in Town. Councilmember Rehm asked if they would need insurance from them. Counsel replied no. Councilman Maranville asked if the bathrooms would remain open. Supervisor Simmes replied yes.

Resolution #210

Councilman MacEwan moved, seconded by Councilmember Rehm to grant permission to the Great Champlain-Hudson Sojourn participants to camp at Veterans Park on July 1, 2008. All in Favor. Motion Carried.

Request to hold a Holiday Art Show at the Town Hall on December 6th & 7th and a Musical event the evening of December 5th.

Resolution #211

Councilman Saris moved, seconded by Councilman MacEwan to authorize the use of the Bolton Town Hall on December 6th and 7th for a Holiday Art Show and on December 5th for a musical event. All in Favor. Motion Carried.

Councilmember Rehm suggested that they ask the Art League to give the Town Hall a rotating exhibit every month that could be on display in the lobby. This would provide a pleasant environment and provide a public gallery in the winter months. She asked Counsel if this would be acceptable as long as they were not selling their work. Counsel replied yes it was acceptable.

We have a request from the County to have the highway stock pile two face cord of firewood to be used in a case of emergency. We have referred this to the Highway Supt.

Vacancy on the ZBA. John Michaels and David Ray were interviewed. The term expires on 12-31-09.

Councilmember Rehm asked Counsel if he was familiar with alternates to the ZBA and if so how do they serve. Counsel replied yes. He stated that they serve in the absence, either by recusal or by non-attendance of a regular member. He thinks alternates are wonderful to have so that decisions are made with full Boards that prevent even votes or stalemates. Councilmember Rehm asked if they would need to change their zoning ordinance in order to do this. Counsel replied

yes. Councilmember Rehm stated that they had 2 really good candidates and it was a very tough decision and this would be a great way to keep the second person involved. Counsel replied that the best way to start the process to see if it is of interest is to ask the ZBA to initiate and indicate that they would love to have alternates serve with them and they could start the process to amend the zoning. Councilmember Rehm asked Counsel to raise this issue at the next ZBA meeting.

Resolution #212

Councilman Saris moved, seconded by Councilmember Rehm to appoint John Michaels to the Zoning Board of Appeals with his term to expire on December 31, 2009. All in Favor. Motion Carried.

We have two quotes for the repair work at the transfer station. Palazzo-\$5,500 and BBB-\$9,500.

Resolution #213

Councilman MacEwan moved, seconded by Councilmember Rehm to accept the bid of \$5,500.00 from Jim Palazzo for the repair of the concrete below the compactor at the Transfer Station. All in Favor. Motion Carried.

Authorization to order the trucks for the highway: There is a 16 to 20 week lead time: Both trucks are under state contract. VanBortel Ford has the state contract for the 2009 Ford F350 8' box 4x4 Regular cab with plow: \$26,594.40 and Tracey Road Equipment for 1 new 2009 Sterling LT9511 Cab & Chassis with Tenco Body and Plow equipment \$186,107.

Resolution #214

Councilman Saris moved, seconded by Councilman Maranville to authorize the ordering of the 2009 Ford F350 8' box 4x4 Regular cab with plow for \$26,594.40 from VanBortel Ford and the 2009 Sterling LT9511 Cab & Chassis with Tenco Body and Plow Equipment for \$186,107 from Tracey Road Equipment due to the long lead time. All in Favor. Motion Carried.

Resolution accepting the Warren County Snow & Ice removal contract for 2009 in the amount of \$108,457. This is up 5% from last year.

Resolution #215

Councilmember Rehm moved, seconded by Councilman MacEwan to approve the 2009 Warren County Snow and Ice removal contract for the amount of \$108,457.00 and to authorize Supervisor Simmes to sign said contract. All in Favor. Motion Carried.

Resolution to accept matching funds from New York State through the Warren County Youth Bureau in an amount to be determined.

Resolution #216

Councilman Saris moved, seconded by Councilman Maranville to accept matching funds from New York State through the Warren County Youth Bureau. All in Favor. Motion Carried.

Councilman Saris asked about the status of the furnace repairs for the Town Hall.

Supervisor Simmes stated that they will need to get started now on getting the paperwork going to go out to bid for the replacement of the furnace.

Resolution #217

Councilman Saris moved, seconded by Councilmember Rehm to authorize Excel to create bid specs for the new furnace for the Bolton Town Hall. All in Favor. Motion Carried.

Public in Attendance

Anton Cooper asked if they have heard anything from Janet Lehman. Counsel replied that she was supposed to be in attendance tonight. He stated that he was supposed to serve her with the additional papers when she was in Town but she did not show. Supervisor Simmes stated that they are having her proceed with taking down the one barn.

Zandy Gabriels stated that Councilman Saris mentioned that they smoke tested Green Island and unfortunately did not find the source. He agrees with Councilman Saris, he has pictures and he has seen the manhole across from Water's Edge during heavy rain storms. He stated that a smoke test was not done on the other portion of the Town where there are problems with no clear source. According to the report there is approximately 55 running services, in the form of cellar pumps, from cellars into the waste water system all of the time. This is a real problem for the sewer department and unfortunately these 55 services were the only 55 seen during the video shot on those particular days and is by no means necessarily inclusive because the others that were dry at that time might be pumping when the ground is more saturated. Smoke testing this area, if they decide to go through with this and protect I and I from the sewer collection system by prohibiting the continuation of this pumping into the system, the water has to go some place, which is probably in someone's back yard and they will need to pay more attention to stormwater management in the hamlet area. He is concerned because they have zeroed out all the flood control funds in this and they don't have any action on this but in order to protect the sewer system long term they will have to take care of this problem as well as any other cracks or repairs on the 40 year sewer system. He noted that 55 running services are approximately 10% of the services of the Town of Bolton. He stated that it is a tough one to get a hold of and it will take identification of those particular services with particular names and street addresses, but the sewer system requires continued attention to its I and I problems in addition to not just focusing on Green Island. He stated that he is sure the new owners will work with the Town to solve this problem but it is not an easy one and it is certainly not intentional of the Sagamore because it has been an ongoing problem for 20 years.

Zandy Gabriels stated that the Town has the money from the Sagamore and they have an increase in mortgage tax of a \$125,000 because Sagbolt took out a \$25 million dollar mortgage. Last month he suggested that they ought to use \$100,000 of those dollars in anticipated additional revenues, which they noted, and send it back to the County by resolution by this TB tonight to reduce whatever the County taxes are anticipated to be by the time the County gets through with its November 7th and 21st meeting when they adopt the budget. He stated that it is not on the agenda and it has to be made by TB resolution and he encourages them to do it. He stated that the money should be returned to the taxpayers in suitable form, reducing the County tax load from whatever it is to 10 cents lower/\$1,000 assessed is an appropriate use of those funds.

Transfers

Resolution #218

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

Pay Bills

Resolution #219

Councilmember Rehm moved, seconded by Councilman MacEwan to approve payment of the following bills for November 2008:

Light District: \$2,266.85

General Fund: 49,719.88

Water 4,492.46

Sewer 9,885.31

Tourism 15,403.13

All in Favor. Motion Carried.

Resolution #220

Councilman Saris moved, seconded by Councilman Maranville to approve payment of the following Highway Department bill for November 2008:

Highway : \$181,802.02

Councilmember Rehm opposed. All others in Favor. Motion Carried.

Executive Session

Resolution #221

Councilman Saris moved, seconded by Councilman Maranville to adjourn the regular meeting at 7:51 pm and convene in Executive Session after which no further action will be taken. All in Favor. Motion Carried.

Adjourn

Resolution #222

Councilman Saris moved, seconded by Councilman Maranville to adjourn Executive Session and end the regular meeting at 9 pm. All in Favor. Motion Carried.

Respectfully submitted by: Respectfully submitted by:

Patricia Steele Kristen MacEwan

Town Clerk Recording Secretary