

BOLTON TOWN BOARD

Call To Order: 7:00 pm  
Pledge: Owen Maranville

November 7, 2012

Regular Meeting:

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

Minutes: Approve Minutes of Town Board Meeting held October 2, 2012.

**RESOLUTION #201**

Councilman MacEwan moved to approve the minutes of the Town Board Meeting held October 2, 2012 as written. Seconded by Councilman Maranville. All in Favor. Motion Carried.

Board of Health

- Variance application by Sisca and Sisca LLC, this application was tabled on 8/7/2012 and the public hearing kept open. **Note: (there will be no review or action taken on this application at the November 7, 2012 meeting of the Bolton Town Board and the public hearing will remain open).**
- SEQRA Environmental Assessment Finding
- Resolution regarding variance request by Sisca & Sisca LLC (Francis Sisca)

*Note: This matter has been tabled until further notice.*

Bolton Town Board

Public Hearing: Public Hearing on Preliminary 2013 Town of Bolton Budget (General Fund, Highway Fund, Lighting District, Sewer District, Water District, Fire District).

Supervisor Conover opened the public hearing on the 2013 Town Budget. There were no comments from the public in attendance. Supervisor Conover closed the public hearing.

- Resolution adopting 2013 Bolton Town Budget

Councilman Maranville stated that the Board did a nice job with the budget workshops.

He thanked everyone for all of their hard work. Councilmember Wilson agreed and thanked Supervisor Conover for all of his hard work.

**RESOLUTION #202**

Councilman Maranville moved, seconded by Councilmember Wilson to adopt the 2013 Bolton Town Budget (General Fund, Highway Fund, Lighting District, Sewer District, Water District, Fire District). All in Favor. Motion Carried.

- Resolution adopting Sewer and Water Rate Schedule for 2013 (effective beginning January billing period 2013).

Supervisor Conover stated that there is no change in the water district rate and a quarter (.25) change per thousand for the sewer rate, which equates to \$1.25 per quarter on the minimum.

**RESOLUTION #203**

Councilman MacEwan moved, seconded by Councilman Maranville to adopt Sewer and Water Rate Schedule for 2013, effective January 2013 billing period. All in Favor. Motion Carried.

Supervisor Conover provided a budget statement. He stated that he is pleased to report that the 2013 Town of Bolton Budget maintains the tax levy at \$799,000 unchanged from 2012. This is largely made possible by an improving economy and revenue picture. The 2013 Town of Bolton tax rate will be approximately .52 cents/thousand down from the .75 cents/thousand tax rate for 2012. The 31% reduction in tax rate for 2013 is a direct result of the recent property revaluation program completed earlier this year. The revaluation program established the assessed value of all Bolton property at \$1,533,702,523 an increase of 45% of last year's assessed value of \$1,057,908,583. The actual tax impact of the lower tax rate for 2013 will vary depending upon each property's final assessment. Few if any of us enjoy paying property taxes and it is a topic that can instantly generate strong feelings. However the maintenance of accurate assessment rolls is fundamental to a fair and equitable property tax system. It is a significant and at times thankless responsibility of town government. In Bolton it is a responsibility of our Town assessor, Mr. Dave Rosebrook and the Bolton Assessment Review Board. They have successfully fulfilled those duties both in a professional and understanding manner. Thank you to all involved for a job well done.

The Highway Fund appropriation fund for 2013 is \$1,881,061 down slightly from the 2012 appropriation of \$1,918,841. Funds budgeted for highway improvements have been increased to \$400,000 for 2013 up 33% from the \$300,000 from 2012. We have in fact doubled our highway improvement program since 2010. Increased funding for our road improvement program is essential if we are to improve our roads in a timely manner and to acceptable standards. Our goal is to complete at least 2 miles of road improvements each year. In addition our 2013 highway fund will purchase 2 new pieces of highway

equipment; a one ton dump truck which will replace a 2000 dump truck and a New Holland tractor with flail mower which will replace a 1969 mower with cutting bar.

The general fund appropriation for 2013 is \$2,677,313 up from the 2012 appropriation of \$2,472,124. The increased appropriation in the general fund is largely attributable to increases in NYS retirement costs as well as specific planned improvements to parks scheduled to take place in 2013 as well as the purchase of a new police vehicle to replace the 2004 GMC Yukon.

Our lighting district continues to experience lower operating costs resulting from the change from mercury to sodium vapor lights and the purchase of new more energy efficient street lights and the elimination of some light standards. As a result the lighting district property tax levy for 2013 is \$31,000, unchanged from 2012.

The 2013 Water District budget proposes no increase in water rates. Also he can report that the Water District will finish 2012 in the black. Moreover, he is pleased to report that we have been able to build a modest fund balance, capable of addressing emergencies, water breaks or paying for needed improvements to the water system. Our program to move to radio read meters will continue in 2013 as well as identifying and fixing leaks with an annual leak detection program. The Water District will also be replacing a 2001 Dodge Ram truck in 2013. We will continue to do everything possible to ensure that the Water District operates in an efficient and financially responsible manner and that a quality product is delivered to our customers.

The 2013 Sewer District budget proposes a .25 cent/1,000 gallon increase. This equates to a \$1.25 increase per quarter in the minimum charge with varying amounts above the quarterly minimum depending upon actual use. While the Sewer District is close to operating in the black we are not quite there yet. In addition to increasing revenue we must also strive for increased economy and efficiency. For 2013 we expect to move from an alum coagulate process to a slack plus process thereby improving treatment. The upgrade to the coagulate process is being reviewed by DEC and could be approved and take place prior to the start of the 2013 summer season. In addition we are considering moving from a traditional to a new intermittent back wash system. This could result in additional savings to the Sewer District by reducing energy and mechanical operating costs. We are working with Edge Design and Consulting to install solar power panels to also reduce our operating cost. As a result of our sewer relining program flows to the plant are at historic lows resulting in additional savings and improved treatment. While much progress has been made with the district, we have more work to do and we look forward to continuing the program to upgrade our plant and collection system to bring the Sewer District to financial sustainability.

Overall, the Town Board has prepared a solid 2013 budget; we have adopted reasonable revenue projections and a responsible expenditure plan. It is an expenditure plan that

provides the level of service that residents expect, supports our community organizations, contributes to the protection of Lake George, upgrades our infrastructure, protects our residents and visitors, replaces aged vehicles and equipment as just a few examples. As always we will keep a watchful eye on all revenue and expenditure line items as we finish this year and move into 2013. The Town of Bolton continues to be in excellent financial shape.

A special thanks to Town of Bolton Bookkeeper, Mariann Roberts-Huck for her assistance in the preparation of the 2013 Budget. During the budget workshops the TB completed a line by line review of the tentative 2013 budget and as always I appreciate their advice and assistance; it is a team effort. Last but not least I thank the Town departments for preparing clear and precise budget proposals for 2013. Their valuable insights, experience and dedicated service to our community is deeply appreciated.

Public in Attendance:

- Tim Larson, LA Group update on Veterans Park.

Tim Larson provided a presentation of the dock system for Veterans Park. He stated that since May we have firmed up the grant program with the DOS. We also firmed up the design and budget for the project and did some preliminary investigation of the southern crib dock.

Tim Larson provided details to the project stating that the new dock system would be a heavy duty galvanized steel truss floating dock system. The dock would have 4 fingers with a capability of docking 8 boats. It will have 2' x 6' pressure treated decking, pressure treated rub rail with an ADA curb around the perimeter of the dock. There will be a shore side concrete abutment connection which will be the only permanent feature of the dock system; it will be a 6' x 4' x 4' slab that the floating dock will be anchored to. The anchoring will be installed and removed each year.

Tim Larson stated that the design also includes a canoe and kayak launch located adjacent to the dock. Currently his feeling is that the canoe and kayak launch would be an add alternate. It would be part of the bid but separate in the event that we don't want to include it or the price is too high. Supervisor Conover stated that he has questions about the canoe and kayak launch. He would like to hear from people that might use it to see if it would be worth the expense.

Tim Larson stated that the design also includes some upgrades, including use of composite decking and as well as more aesthetic features. These items are nice but given the cost it may not be allowable.

Councilman Maranville asked if the system will go out as far as the crib dock on the southern end of the beach. Tim Larson replied no this will only extend 75'.

Councilmember Wilson asked if the bid will include installation of the dock. Tim Larson replied yes it will include the initial installation and removal of the docks. In the specs, he will be sure to include that the Town staff is able to witness the install and removal in the event that the Town were to elect to have Town staff perform that function. Councilman Maranville stated that he would rather the wording read that the Town staff is trained rather than witness. Supervisor Conover agreed and stated that we might also write that spec to include local contractors if we should choose not use our own crews.

Councilman Maranville asked how many feet are between the docks. Tim Larson replied 26'. Tim Larson stated that the Town is exempt from LGPC regulations. We are in full compliance of the regulations with the exception of their square foot coverage; their maximum is 700 sq. ft and we are just over 1,000 sq. ft. If we were to comply we would lose a finger and half. Supervisor Conover asked how far we were from the property line. Tim Larson replied 21'.

Supervisor Conover asked what the schedule would be if they were to approve the project. Tim Larson replied that we would start to advertise in early December. Open bids in mid-late December, he would return for the January meeting to award the contract. At that point the vendors we have spoken to have a 6-8 week turn around for fabrication. This would give us plenty of time to install in the spring.

Supervisor Conover asked for an update on the south dock improvements. Tim Larson replied that he is working with Carl Schoder to look at their options. Supervisor Conover stated that the thinking is that it will remain a crib dock that could be constructed stronger to hold up to the ice and elements better. Ultimately this will come down to cost. We have decided to separate the 2 projects.

Mary Owens, stated that she would like to make sure that the dock is kept strong and where it is currently located. As a neighbor she is concerned that they will be dealing with wakes that will affect their docks. Tim Larson stated that we have already ruled out a floating dock in this location. Supervisor Conover stated that we need to look at how we can make it stronger balanced with the cost.

Sue Wilson asked if there was any update on the bathrooms for Rogers. Tim Larson replied that the bathroom structure has been completed but it is sitting in Texas. We are still dealing with the same issue from summer; the overhead utility line at the intersection of Lake Shore Drive and the park entrance is too low. The lines are at regulation height but the truck and flat bed which holds the structure requires a foot beyond the regulated lower elevation of the wires. We were informed of this about a week before we scheduled the contractor to the site which has put a stop to the delivery. We are hopeful that the last remaining utility company, which is Verizon, will make their adjustments soon. They have been on site so we are hopeful that if it is raised we could get the building delivered

and installed before winter. However if it goes beyond late November or early December we should wait until spring.

- **SEQRA Veterans Park Improvements**

Supervisor Conover reviewed the SEQRA form specifically Section C as follows:

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, the proposed action will not result in significant adverse environmental impacts.

**RESOLUTION #204**

Councilmember Wilson moved, seconded by Councilman MacEwan to issue a negative declaration for the Veterans Park Improvements. All in Favor. Motion Carried.

- Resolution authorizing bidding of docks at Veterans Park based on schedule to be provided by the LA group to the Bolton Town Clerk.

## **RESOLUTION #205**

Councilman Maranville moved, seconded by Councilmember Wilson to authorize bidding of docks at Veterans Park based on schedule to be provided by the LA Group. All in Favor. Motion Carried.

- Dave Decker, Director, Lake George Watershed Coalition  
Supervisor Conover provided a brief overview. He stated that we were the sponsor of a grant application for some \$900,000 back in 2009. It was approved, but the State took almost 3 years to get us a contract. We have been going back and forth over the last few months with the contract and Dave Decker is here to review it.

Dave Decker sent greetings from the Secretary of State who is the chair of the Watershed Coalition. He is representing him as well as the rest of the members of Coalition. He thanked the Board for its continuing to play a leadership role in the Watershed Coalition. That leadership has been illustrated through various examples, such as chairing and advocating on several of the subcommittees of the Coalition, committing local match funds to a host of lake saving and water quality protection measures, specifically taking a lead role among other municipalities both here in town and at the County level in advocating and ensuring that the importance of lake protective measures were undertaken and dealing with invasive species we have dealt with in the past several years.

Dave Decker provided a brief history of the formation of the coalition. He stated that the coalition was officially formed in 2001. It is a grouping of the 9 towns that make up the watershed and the 3 counties in which they reside, 5 not-for-profit members and 5 state agencies. The coalition exists on a series of grants that are applied for each year. The resolution before the Board is for a specific grant from 2008-2009. This is the largest grant that the DOS has awarded to the Towns except the one single special grant that was awarded to Gaslight Village. It now brings the total to somewhere about 6.5 million dollars that have been spent through the various applications and spread through the watershed communities.

Dave Decker provided and reviewed the details of the grant. He believes the delay in getting the funds is due to the financial challenges that the State faced in the past 5 years. Supervisor Conover stated that the good news is that almost \$300,000 is going to invasive species. However there is an additional \$148,000 specific to Milfoil. Dave Decker stated that there is also a lump sum for boat wash stations. There is one for supplementing the funds put forth by the LGPC in advancing and completing their Invasive Species Management Plan.

Supervisor Conover stated that the grant also includes a Magic Salt building. Dave Decker stated that the money will be supplemented by another grant that was given to us by Senator Little which is specific to deal with salt and sand intrusion in the lake.

Supervisor Conover stated that the grant will also fund the EIS for the dredging projects at Finkle, Indian Brook and Hague. The DOS wants to do a Finkle Brook watershed analysis to help set the stage for bigger projects. The actual dredging project itself is not in the grant application but that is because it was never specified in the original grant application. Dave Decker stated that the DOS is sponsoring all of the other pieces. The completion of the EIS has to be done before any sedimentation removal can be done on this or any deltas as well as specific analysis of West Brook itself. One of the things they are concerned about is that if an action is taken to remove the sediment and we haven't properly reinforced or protected the rest of the watershed, the useful life of that project only ends up being 3-5 years. We want to propose an engineered sedimentation removal project that has a useful life of at least 15-20 years.

Dave Decker stated that if this is approved we can draw up the vouchers. He stated that a lot of the money is already dedicated or has been spent at this time so upon the signing of the contract from the comptroller we can submit these vouchers. That way payment can be processed and we can receive the money. Dave Decker stated that the vouchers can be sent in parallel with the contract. Additionally, as of January 1<sup>st</sup> we will start receiving local match checks from the other Towns.

Supervisor Conover stated that he has been very clear to the Coalition members that other than the Bolton projects, we will not finance other projects. Dave Decker stated that this is a reimbursement grant and it has been worded as such so that recipients can submit their invoices when expense is incurred but will not receive payment until Bolton receives funds from NYS and passes it through to the contract. He stated that this was done with the Gaslight Village project and it was just factored into the bid.

Supervisor Conover stated that he likes the emphasis on the invasive issue and he asked Dave Decker to communicate that to the Task Force as well. He thanked Dave Decker for his efforts with the DOS.

Zandy Gabriels asked if the Darin Freshwater Institute stream study got cut back. Dave Decker replied no it is \$180,000 which has been a four year commitment to help when the DEC stopped the effort. Zandy Gabriels stated that 180 milfoil sites have been found but we cannot tell what size the Eurasian Milfoil sites are or how much we are reducing or controlling their size. He asked the Supervisor to request more specific information.

Regarding Asian Clams, Zandy Gabriels stated that the money could be spent tomorrow because we have had so little resources that we were only able to consider putting a horse collar around 4 old sites. He stated that we may need the TB assistance regarding how much more we want to spend in Sawmill Bay. We don't know if management or containment works. Everyone has their opinion of what to protect first; there are no objective standards in spreading the funds out.

Additionally, Zandy Gabriels stated that they need to dedicate work on the science of it as well. He stated that we are just matting and need to consider whether or not it is working. Since the expense is so great and resources limited, the money needs to be applied carefully.

Supervisor Conover stated that the 4 sites are very critical sites; they are a stone's throw from Veteran's Park. We already had to shut down recreational use in Boon Bay and we don't want to affect one of our beaches. He asked Mr. Decker to take that message to the Coalition. He also recommended that the mesocosm project be put on hold and shift that money to the more immediate science issues raised by Dave Decker and Zandy Gabriels. Testing costs money but without it, we cannot know how well we are doing .

Dave Decker stated that they have been battling with water quality testing for several years to see if what we are doing is working. However one could argue that this series of maybe grants is not a way to fund a long term water quality monitoring program. To that end, under the Secretary of State we have set up an interagency group which includes the DEC, DOT, DOS, LGPC and APA who meet quarterly. They will be focusing on getting a continual funding stream for the management program. Supervisor Conover asked Coalition and DOS to look at invasives as a priority. He would keep the money within Darin but with the scientific effort.

- John Gaddy

John Gaddy asked about the installation of a dry hydrant at Bett's Pond. He stated that he has offered to the Fire Department to use the site for fire protection capacity for the 30 houses on this section of New Vermont Road. Three to four years ago there was a survey done by WC Soil and Water and 2 years ago the Town made the investment to repair the culvert. Last spring he signed papers with Dean Fisher that supposedly was to purchase the equipment for the dry hydrant however nothing has been done. He has noted other dry hydrants that have been done which services a much smaller amount of homes. He asked who to contact so that this project can be brought to completion. Supervisor Conover stated that he will handle this issue. Mr. Gaddy thanked the Supervisor for his assistance.

Correspondence:

- Elaine Chiovarou-Brown, Bolton Chamber, request to utilize Rogers Park for the Crossroads to the French and Indian War Re-encampment on June 14, 15, 16, 2013.
- Matt Schuette, RHU, ChHC, Yaeger Flynn Associates regarding Medicare proposal for 2013.
- Patricia Steele, Town Clerk regarding relevy of unpaid Water and Sewer for 2012.
- Ronald C. Toski, CPA, Managing Director for Toski and Co., PC regarding CPA Accounting services.
- Dorothy and Jack Robinson 24 Sawmill Lane regarding lights at Veterans Park.
- Ed Bartholomew, Adirondack Gateway Council regarding agenda for meeting on Monday October 29, 2012.

- Michael Dauphinais, Environmental Program Specialist 2, NYS Department of Environmental Conservation regarding trade secret information relative to conversion to Slack Plus.
- Eric Siy, Fund for Lake George, petition sent to Governor Cuomo regarding Asian Clams.
- John Mucha, Director, Governmental Relations, TWC regarding possible changes programming service.
- Frank Arleth P.E., Parkson regarding case study of ENR application explaining the use of EcoWash to improve Phosphorous removal performance of DynaSand Filters.
- Kate Mance, Senior Transportation Planner regarding transportation survey assistance.
- Lisa Whittaker, NYSLRS – Employer Billing Unit regarding 2013 Estimate of Re 2013 retirement costs.
- Elaine Chiovarou-Brown regarding Rogers Park bathrooms and maintaining them open as long as possible.
- Joan Sady, Clerk of the Board of Supervisors regarding 2013 budget information.
- Andrew L. Luce, Environmental Engineer, NYS Department of Environmental Conservation regarding discharge monitoring report regarding phosphorus and nitrogen levels exceeding effluent limits.
- Rory Whelan, Regional V.P., Time Warner Cable reporting on internal restructuring completed on September 30, 2012 and that the operations will be managed through 7 regional entities designed to simplify management reporting.
- Christopher Navitsky, PE, Lake George Waterkeeper thanking the Town of Bolton for allowing the use of Bolton Conservation Park Center for a speaking event by Roger Summerhayes and the showing of his documentary Langmuir’s World.
- Christopher Navitsky, PE, Lake George Waterkeeper thanking the Town of Bolton for hauling and disposal assistance with Eurasian Watermilfoil Management Program through the Town Highway Department.
- Ed Scheiber, 51 Hemlock Point Road regarding threatening tree on Cotton Point Road.
- Neal J. Johnson, President and CEO, Special Olympics, NY invitation to opening ceremonies on Friday, October 19, 2012.
- Bob M. Blais, Mayor of Lake George regarding Pedal Cabs.
- Thomas W. Nace, PE, Town Engineer regarding “Other” toilets relative to NYS Waste Water Treatment Standards recommending that they be required to obtain variance as are incineration and composting toilets.
- Keith P. McKeever, Public Information Officer, APA, October meeting Agenda.
- Kelly Walker, 28 W. Main Street, Indian Lake, request to use Veterans Park for picnic on October 30, 2012 for picnic after visiting Up Yonda Farm.
- Paul V. Tymchyn, VP in Sales, Earth Waste Systems regarding hauling services for ferrous and non-ferrous materials.
- David Decker, The Lake George Watershed Coalition regarding matching funds for 2013.
- Andrew L. Luce, Environmental Engineer 3, Division of Water, NYS DEC regarding overall satisfactory evaluation conducted September 26, 2012 for the Town of Bolton

WWTP relative to SPEDES Permit NO. NY-0093688.

- American Red Cross – Adirondack Saratoga Chapter transmittal of Disaster Services Volunteer Meeting Minutes for September 8, 2012.
- Deputy Town Clerk, report on phone quotations.
- LGA, 2012 Lake Stewardship Program: Preliminary End of Season Data Summary.
- John S. Mucha, Director, Governmental Relations regarding implementation of Switch Digital Video and establishing a number of existing channels as DDV and impact of SDV on TWC customers and their existing cable card compatible devices.
- Pam Kenyon, Zoning Administrator regarding return of application fee to Bartlett, Pontiff, Stewart, and Rhodes as site plan review was determined to not be required.
- Alexander Gabriels transmittal of LGA report by Emily Debolt regarding Asian Clams 2012 Fall Program *for discussion purposes*.
- Deanne Rehm commendation for Mitch Monroe for his conscientious work habits.
- William H. Park regarding concern relating to home rule and local autonomy.
- Alex Jeyschune, President Diamond Ridge HOA, regarding misrepresentations on the part of John Gramegna and SPR11-28.
- Peter French, Captain Bolton Rescue Squad and Gayle Street, event organizer regarding 2013 schedule for Arts and Crafts shows and request to use Rogers Park.

Committee Reports:

**Councilman Robert MacEwan**

Councilman MacEwan stated that he wanted to commend Mitch Monroe as well. He worked for 2 days in the cold rain to fix hydraulic lines in the street sweeper.

Transfer Station- Took in \$5,474 and spring clean-up cards totaled \$3,613. The Eastside container is off the property. The winter hours were discussed.

Water- Actual flows through the plant was 6,326,934 after deductions was 5,538,497. The monthly bacteria samples came back satisfactory. He had to change a CL2 pump. They had their driveway sealed. Shut off a few seasonal homes. Normal maintenance. The hydrants will be flushed from 8am to 2:30pm on the November 27, 28, 29 and 30<sup>th</sup>. Expect some discoloration of water, consumers are advise to check water conditions before doing laundry and flush water heaters if necessary. Call Town Hall if there are any concerns.

Sewer- Took in 4,003,880 gallons of waste water an average of 129,157 gallons/day. Monthly samples were done. DMR's mailed for September Violation for Phosphates in effluent. Allowed a 1 had 1.18 mg/l. Greased trickling filter. Washed sand in sand filters. Air Compressor broke down had compressor engineering fix it. Had a bad contact replaced it. Put in new packing in rejurk pumps and greased. Did the same with rejerk water pumps. Greased track motor in clarifier. Had problem with trickling filter. It just stopped moving. Changed oil and have not had a problem since but West Tech wants oil

sample to see if top bearing is going. Fire & Safety checked all fire extinguishers. Put diesel additive in all outside generators. Changed broken spreaders in trickling filter. Sent tractor to Falls Farm and Garden. Hauled 16,000 gallons of sludge.

### **Councilman Owen Maranville**

Police- They patrolled 2,376 miles and used 202.8 gallons of fuel. They hosted BCS Kindergarten Class Community Day; coloring books and badge stickers were provided to the children. The Police Department also mobilized to provide 24 hour coverage during Hurricane Sandy. On Halloween they had 2 vehicles and one foot patrol going. An itemized list of all the calls answered is available for review.

Assessor- During October our computer file was updated daily to keep up with deed transfers and address changes. Address changes were e-mailed to the school tax collector as they happened. She in turn sent us changes she received so we could update our addresses for the next tax roll. Regarding sales, the trend seems to be indicating more sales are taking place than in past years. Since July 1, he now has recorded a total of 18 arm's length sales.

During October Dave continued to work on new construction field work. He also defended the last of our 4 small claims cases.

As planned, Dave attended the annual Assessors' Conference held this year in Lake Placid from 9/30-10/3. He received continuing educational credit which maintains his Assessor's certification. Most of his expenses were paid by NYS.

On October 17<sup>th</sup>, Dave attended a special appraisal class in Cell Tower Valuation. Taught in Albany, it covered not only what items are taxable as real property but the methods of valuation.

On October 23<sup>rd</sup>, Dave attended the monthly Warren County Assessor's Association meeting. They met at the County's computer training room for a refresher in preparing reports we have available for sales analysis and determining "Level of Assessment". State, County and local Assessors attended.

Justice- Hon. Harry Demarest took in \$8,395 and Hon. Edward Stewart took in \$3,390. Total monies forwarded to the Town amounted to \$11,785. Itemized lists are available in the Court for review.

### **Councilmember Susan Wilson**

Councilman Wilson mentioned the death of her neighbor Nellie Wurzbach. She was 104 and Bolton's oldest resident and sends condolences to her family.

Zoning- The Town advertised for an alternate member of the Zoning Board of Appeals. Several applications were received and we appreciate everyone's interest. At this time she recommended nominating Matthew Slaughter to serve as alternate member of the Zoning Board of Appeals effective immediately and for the term of 7 years ending in December 2019. Mr. Slaughter served on the Local Waterfront Revitalization Plan

Committee, he has practiced as a land use attorney and attended Cornell University's Masters Program in Urban and Regional Planning.

**RESOLUTION # 206**

Councilmember Wilson moved, seconded by Councilman Maranville to appoint Matthew Slaughter as an alternate member to the Zoning Board of Appeals effective immediately and with a term of 7 years to expire in December 2019. All in Favor. Motion Carried.

Councilmember Wilson stated that members of the PB and ZBA will be attending a training session at the Bolton Town Hall conducted by Mark Schachner. Mark will be addressing two different topics- ethics and motions. She will also provide the members with materials from the NYPF which includes a tutorial and open book test that will provide them with the remaining number of training hours required for the PB and ZBA members per year. Some members have already completed their training and others will be able to use this toward next year's requirements. She stated that she needs approval from the TB so that this training will serve as approved training for of the ZBA and PB members.

**RESOLUTION #207**

Councilmember Wilson moved, seconded by Councilman Maranville to authorize the training on November 14<sup>th</sup> from 6:30-8:30pm to serve as approved training for the Zoning Board of Appeals and Planning Board members. All in Favor. Motion Carried.

Councilmember Wilson stated that over the course of the last several months the Town has received numerous complaints and concerns regarding property located at 3841 Lakeshore Drive "Somewhere in Time" in Diamond Point. The Supervisor, the Town Attorney and herself have met with the neighbors regarding the complaints and concerns. All Board members have been provide with copies of the most recent complaints as well as a copy of the October PB minutes where the attorney for the neighboring property owners addressed the PB with these same concerns and complaints. She recommended a resolution that would encourage the PB to hold a public hearing that would allow both the property owner and neighbors an opportunity to be heard on this matter and after such hearing determine whatever course of action they deem necessary.

**RESOLUTION #208**

Councilmember Wilson moved, seconded by Councilman MacEwan,  
It is hereby resolved, that the Town Board being apprised that there are various and numerous citizen and neighborhood complaints alleging site plan review misrepresentations and discrepancies or deviations from the requirements imposed upon the premises of John Gramegna (TMP#213.17-1-9 and TMP#213.17-1-36) as specified in SPR00-28; SPR11-24 and SPR11-28, it is therefore appropriate that the Planning Office act in furtherance of all requirements established by the Town of Bolton Zoning Ordinance ("Code") and in particular with respect to Article XIII of the Code ("Enforcement") and it

is further appropriate for the Planning Office to proceed in affording adequate notice to the owner/applicant of all specific allegations and any determinations of the Zoning Administrator with respect to such matters and upon such allegations and/or determinations and the Planning Board is authorized to conduct a public hearing affording to the applicant/owner prior notice of such proceedings and all available due process to determine the facts and upon the conclusion of such hearing direct such enforcement, if any is required, as may be appropriate to the circumstances.  
All in Favor. Motion Carried.

Code Enforcement- There is a 16 page report for October. 15 site visits were conducted, a copy of which is available for review.

Library- Councilmember Wilson stated that she did not attend the Harvest Cook-Off but understands that it was well attended.

Seniors- They will be holding an AARP Driver Refresher Course from 9:00am to 4:00pm on Thursday, November 15 at the Senior Center. Coffee and Donuts will be provided but they ask that you bring a bag lunch. For more information contact Barbara Hollister at 644-5151. They have room for five more attendees.  
Their Holiday Party will be at Frederick's on December 2<sup>nd</sup> at 2:00pm.  
They hold their business meetings on the first Wednesday of each month at 10:15am.

**Councilmember Cheryl Bolton -read by Councilmember Wilson**

Rec- Numbers are up and they are preparing for the Gore Ski Program.

Bolton Rescue- They have provided an activity report for BEMS, Inc for September and the two prior months; July-66, August-66 and September-36.

Councilmember Wilson stated that Councilmember Bolton also wanted to commend Mariann Huck on her work with the budget in Excel and the new safety programs with Warren County Self-Insurance.

Supervisors Report:

- Receipts: \$236,002.96
- Disbursements: \$764,236.19
- Radar signs have been delivered.
- Second half notice on the mortgage tax receipts for this year of \$89,872.65 which is above what we were projecting for next year.
- New restrooms at Rogers Park still waiting on Verizon to raise their lines
- Hurricane Sandy report, Big thank you to our Volunteer Fire Company, Rescue Squad, Sagamore Hotel, Hudson Headwaters Health Network, and our Town Highway, Parks, Police and Water and Sewer Departments.

Supervisor Conover stated that we had meetings prior to the storm and everyone was ready.

We had facilities available, the Sagamore and Health Center extended themselves fully. He appreciates everyone preparing ahead of time and thanked everyone for their offerings of assistance. He stated that Bolton has a terrific group of people collecting items and funds to help out with the hurricane effort down state.

Supervisor Conover stated that there is a resolution to follow that would authorize him to put a propane generator at the Town Hall. He would like to have a back-up generator for the Town Hall by the end of this year and the Conservation Center sometime next year. He would like to be able to have use of these facilities if and when we have these type of storm events in the future.

- Recording system for Board Meeting Room.

Supervisor Conover stated that there was some issues with the recording equipment that have been resolved. He thanked Councilmember Wilson and Town Clerk Pat Steele for their efforts. We have a new computer to assist in recording the meetings for the TB, PB and ZBA meetings.

- Big Thank You to Willie Bea McDonald and Bonnie Donnelly for putting up the Fall Banners.
- Bolton Free Library Great Bolton Cook-Off competition at the Conservation Park last Saturday was a wonderful event, well attended and everyone had a terrific time, big congrats to the Library.

#### Old Business / Tabled Resolutions:

- Solar Project: No report
- 824 Trout Lake Road

Counsel Muller stated that this is still a pending transaction. He has spoken with the potential buyers attorney who indicated that it is moving along which would save the Town considerable money in not having to proceed on the litigation. Counsel Muller stated that if the Town is not wanting to be patient he understands and can proceed if authorized.

Councilman Maranville stated that he would like to see this move forward. Counsel Muller stated that he will proceed. He stated that if they are served with papers they should move quickly to get it done. It may slow down the transaction but it will permit the sale. All Board members agreed to move forward.

#### New Business:

- Resolution authorizing Supervisor to execute the 2009 Grant Contract with NYS Department of State on behalf of the Lake George Watershed Coalition:

### **RESOLUTION #209**

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

**RESOLUTION AUTHORIZING PROVISION OF YEAR 2013 PROGRAM AND PROJECT MANAGEMENT SERVICES RELATED TO “LAKE GEORGE – PLAN FOR THE FUTURE” GRANT FUNDING AND EXECUTION OF AGREEMENT #C007005 WITH NEW YORK STATE**

WHEREAS, the environmental health and overall quality of life in the Lake George Watershed area is critical to the social and economic well being for the Town of Bolton, Warren County and the region in general, and

WHEREAS, the protection, preservation and proper management of water quality within the basin is an essential ingredient to maintaining this revered natural resource as a key to the social and economic vitality of this region, and

WHEREAS, the Town of Bolton has been an active participant in developing the critically important water quality management plan, and

WHEREAS, the adopted document, entitled, “Lake George – Plan for the Future” identifies numerous recommendations and actions as being critical to pursuing the objectives of preserving, protecting and enhancing the water quality throughout the Basin, several of which will require the engagement of contract services to execute these recommendations, and

WHEREAS, by previous Resolution, the Bolton Town Board authorized submission of the Environmental Protection Fund Application for State Assistance Payments – Local Waterfront Revitalization Program, dated September 30, 2009 in response to New York State’s solicitation of Financial Assistance Grant, and

WHEREAS, the NYS Department of State recently awarded to the Town of Bolton, on behalf of all participating municipalities in the Lake George Watershed Coalition (LGWC), \$900,000 in matching grant funds for implementation of the Local Waterfront Revitalization Program for 2009-2010, such funds to supplement an announced series of water quality improvement projects, and

WHEREAS, the Town Board wishes to also authorize a Year 2013-14 Agreement with David J. Decker, P. E. & Associates for the provision of program and project management services in connection with the Town’s grant award, and

WHEREAS, a copy of a proposed Agreement between the Town and D.J. Decker & Associates has been presented at this meeting,

NOW, THEREFORE, BE IT RESOLVED, that the Bolton Town Board hereby accepts the \$900,000 in matching grant funding to be received from New York State for implementation of the Environmental Protection Fund Application for State Assistance Payments – Local Waterfront Revitalization Program, Year 2012-2013 program as more specifically set forth above, in the interest of advancing the important work of protecting the preservation of water quality of Lake George, and authorizes and directs the Town Supervisor to execute a Grant Agreement and any other associated documentation and take any other action necessary to effectuate the terms of this Resolution, and

BE IT FURTHER RESOLVED, that the Town Board further approves of the Agreement for Services between David J. Decker, P.E. & Associates and the Town of Bolton substantially in the form presented at this meeting for the provision of program and project management services relating to grant funds received by the Town, and

BE IT FURTHER RESOLVED, that the Town Board further authorizes and directs the Town Supervisor to sign the Agreement and further authorizes and directs the Town Supervisor, to take such other and further action necessary to effectuate the terms of this Resolution.

All in Favor. Motion Carried.

- Resolution authorizing use of Rogers Park for the Crossroads to the French and Indian War Re-encampment by the Bolton Chamber on June 14, 15, 16, 2013.

**RESOLUTION #210**

Councilman MacEwan moved, seconded by Councilman Maranville to authorize use of Rogers Park for the Crossroads to the French and Indian War Re-encampment by the Bolton Chamber on June 14, 15, 16, 2013. All in Favor. Motion Carried.

- Resolution authorizing re-levy of outstanding receivables for water and sewer for 2012 for the 2013 Town and County Tax bills totaling \$38,337.34 (Water: \$27,327.04; Sewer: \$11,010.30).

**RESOLUTION #211**

Councilmember Wilson moved, seconded by Councilman Maranville to authorize re-levy of outstanding receivables for water and sewer for 2012 for the 2013 Town and County Tax bills totaling \$38,337.34 (Water: \$27,327.04; Sewer: \$11,010.30). All in Favor. Motion Carried.

- Resolution authorizing Winter Hours at the Bolton Transfer Station to begin Friday, November 29, 2012 (Open 8:00am to 4:15pm, closed all day Monday and Wednesday).

**RESOLUTION #212**

Councilman MacEwan moved, seconded by Councilman Maranville to authorize Winter Hours at the Bolton Transfer Station to begin Friday, November 29, 2012 (Open 8:00am to 4:15pm, closed all day Monday and Wednesday). All in Favor. Motion Carried.

- Resolution establishing that the installation of permanent outhouses, chemical toilets and re-circulating toilets be defined as other systems as they are not classified by the NYS Department of Health as Standard Sewage Disposal Systems and establishing that a variance be required for such systems from the Town Board acting as the Local Board of Health for the Town of Bolton.

Supervisor Conover stated that this question was raised regarding compost toilets. It was bounced around internally and consulted with Tom Nace. He read Tom Nace's review and recommendation provided.

Councilman Maranville asked if this would require someone that might rent a portable toilet. There was further discussion on temporary portable toilets. Counsel Muller stated that they could insert wording that indicates that this just applies as a permanent installation of these types of systems.

### **RESOLUTION #213**

Councilmember Wilson moved, seconded by Councilman MacEwan to establish that the installation of permanent outhouses, chemical toilets and re-circulating toilets be defined as other systems as they are not classified by the NYS Department of Health as Standard Sewage Disposal Systems and establishing that a variance be required for such systems from the Town Board acting as the Local Board of Health for the Town of Bolton. All in Favor. Motion Carried.

- Resolution authorizing Supervisor to provide back-up generator capability for the Bolton Town Hall.

Supervisor Conover stated that he feels that this will be an approximate cost of \$10,000-12,000. Councilman MacEwan asked how much the generator at the Health Center cost. Supervisor Conover replied about that. He stated that he spoke to Mike Fitzgerald about this and he thought they might need something a little larger than that. He stated that this would require rewiring the building and a separate panel so if the power goes off the other kicks on. He was going to work something up and get back to the Board. This will not exceed their purchasing policy. He feels this is something that should be done not just for Hurricanes but ice storms and other power outages.

Councilman Maranville stated that they have 3 main buildings in town that could be safety zones; Town Hall, School and the Sagamore. He asked if the Sagamore is interested in partnering up with them. Supervisor Conover stated that the Sagamore was great during the last storm. However during Irene they were in the middle of the summer and had 1,000 guests on the island so they had their own emergency plan. He feels we really need to get our buildings with back-up generators. Councilman Maranville stated that we need to get this information out to public so they know where to go. Supervisor Conover stated

that we are working on a whole community emergency response plan.

**RESOLUTION #214**

Councilman Maranville moved, seconded by Councilman MacEwan to authorize Supervisor to provide back-up generator capability for the Bolton Town Hall. All in Favor. Motion Carried.

- Resolution authorizing Supervisor to enter into a service contract for telephone service with CornerStone at a charge of \$8.99 with two months free, for a total annual charge of \$2,697.

**RESOLUTION #215**

Councilman Maranville moved, seconded by Councilmember Wilson to authorizing Supervisor to enter into a service contract for telephone service with CornerStone at a charge of \$8.99 with two months free, for a total annual charge of \$2,697. All in Favor. Motion Carried.

- Resolution authorizing refunding of \$45.00 Site Plan Application Review Fee to Bartlett, Pontiff, Stewart and Rhodes.

**RESOLUTION #216**

Councilmember Wilson moved, seconded by Councilman Maranville to authorize refund of the \$45.00 Site Plan Application Review Fee to Bartlett, Pontiff, Stewart and Rhodes. All in Favor. Motion Carried.

- Resolution authorizing use of Rogers Park for the Arts and Crafts Show for 2013 (May 25 & 26 set-up Friday 24<sup>th</sup>; July 6 & 7 set-up Friday 5<sup>th</sup>; August 10 & 11 set-up Friday 9<sup>th</sup>; August 31 & September 1, set-up Friday August 30<sup>th</sup>; October 12 & 13 set-up Friday 11<sup>th</sup>).

**RESOLUTION #217**

Councilman MacEwan moved, seconded by Councilman Maranville to authorize use of Rogers Park for the Arts and Crafts Show for 2013 for the following dates: May 25 & 26, set-up Friday 24<sup>th</sup>; July 6 & 7 set-up Friday 5<sup>th</sup>; August 10 & 11 set-up Friday 9<sup>th</sup>; August 31 & September 1, set-up Friday August 30<sup>th</sup>; October 12 & 13 set-up Friday 11<sup>th</sup>). All in Favor. Motion Carried.

**Public in Attendance**

- Zandy Gabriels

Zandy Gabriels asked how long the Rescue Squad trips take. Councilmember Wilson replied that she was not sure but she could find out. Zandy Gabriels stated that it is 2/day in July and August and 1 in September and if they take 4 hours each trip, including

paperwork that is a lot of staff time.

Zandy Gabriels stated that he is happy to see the French and Indian War Encampment coming back again next year. However last year there was a problem with the PA system. Supervisor Conover stated that we are addressing that.

With regard to invasive, Zandy Gabriels asked Dave Decker that if we can get the local match, we will be to do all of the programs. Dave Decker replied yes, approximately 40% are already done.

Zandy Gabriels stated that the LGPC is just tackling the invasive with the thought of this just being one lake. However it is a State problem, these invasive are here in Lake George but are also coming and going to other lakes. He suggested that the State take up this cause so that it becomes a state wide issue and program. This way all of the administrative issues are spread fairly and accurately across the state and not focused on one particular area.

Zandy Gabriels stated that this concept has been rejected by the LGPC Executive Director twice publicly. He feels that it is an issue worthy of study and the Town should encourage that.

Dave Decker stated that later this month the interagency of the Coalition will be meeting and one of the items on the agenda is that. Not that making it state-wide but seeing that it goes much more regionally. He stated that they have been working with their partners at the DOT, looking at the Northway rest stop just above exit 18. They are proposing to establish a wash station there. This area would be perfect since it is essentially the gateway to the Adirondacks. The APA is very much in favor of this approach. He is hoping this will get the State to move in the right direction in assisting with this matter.

Dave Decker stated that this addresses the larger issues that Zandy Gabriels raise which is that invasives are State-wide. This idea also raises the question about having a station on both sides of the road because as boats leave Lake George they have now been in infected water. The Coalition is putting forth a resolution to send to the Governor.

Supervisor Conover stated that WC Finance Committee recommended to the WC Board of Supervisors establish an Invasive Species Committee and they have agreed. He is not sure if a Chairman has been selected but he would suspect that Dennis Dickinson would be chosen. They will hold their first meeting in conjunction with the legislative committee of the County as well. A number of Supervisors that wish to be on that committee represent lakes and water bodies in Warren County and are interested in not having those invasive species enter their waters. Additionally, we have other waters here in Bolton so we do not need to be moving it around in our own backyard.

TRANSFERS FOR NOVEMBER 2012

**RESOLUTION #218**

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

GENERAL FUND:

TO:	FROM:	AMOUNT:
1010.4 Town Board CE	1340.4 Budget CE	\$ 5.00
1220.1 Supervisor PS	3120.1 Police & Constable PS	\$5,000.00
1220.4 Supervisor CE	1220.2 Supervisor EQ	\$600.00
1650.2 Central Communication EQ	1910.4 Unallocated Insurance	\$1,846.00
1950.4 Judgments & Claims	1990.4 Contingency Account	\$1,634.00
3120.4 Police & Constable CE	3120.1 Police & Constable PS	\$3,000.00
7110.4 Parks CE	7110.2 Parks EQ	\$1,500.00
7110.4 Parks CE	8810.4 Cemeteries CE	\$2,000.00
7180.4 Special Recreation Ballfield	1990.4 Contingency Account	\$6,256.00

HIGHWAY FUND:

TO:	FROM:	AMOUNT:
5110.4 General Repairs CE	5148.4 Service to Other Gov CE	\$29,000.00

SEWER FUND:

TO:	FROM:	AMOUNT:
1950.4 Judgments & Claims	8110.2 Sewer Administrator EQ	\$297.00
8130.4 Treatment/Disposal CE	8120.4 Sanitary Sewers CE	\$1,344.00
9060.8 Medical Insurance	9050.8 Unemployment Insurance	\$1,000.00

WATER FUND:

TO:	FROM:	AMOUNT:
8340.4 Transmission/Distribution	8310.2 Administration EQ	\$235.00

TO INCREASE THE BUDGET FOR NOVEMBER 2012

6772.2 Programs for the Aging EQ \$1,035.00 from Capital Reserve  
 7997.4 Trail Master Plan \$40,000.00 from Unexpended Balance

All in Favor. Motion Carried.

Motion to Pay Bills:

**RESOLUTION #219**

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

	Voucher	Amount
<b>October Mid Abstract 10A</b>		
General	1083,1085-1091	\$2,056.21

Water	200	70.00
Highway	354-360	924.23
Lights	1084	3,373.23
Tourism	43	20,000.00
<b>October Mid Abstract 10B</b>		
General	1163-1173,1175-1180	2,427.98
Highway	396	16.54
Sewer	232-235	2,131.77
Water	212-213	1,064.22
Lights	1174	236.68
<b>November Abstract</b>		
General	1092-1162,1181-1216,1218-1230	60,408.22
Highway	361-395,397-429	94,616.78
Water	201-211,214-227	7,498.34
Sewer	224-231,236-247	8,735.21
Tourism	44-47	17,580.16
Conservation Park	7-8	484.04
Engineers	7	2,015.36
Lights	1217,1231	3,713.24
Veterans Dock Improvement	1	1,723.38
All in Favor. Motion Carried.		

Executive Session:

- Matters involving ongoing litigation. Matters involving contract negotiations, personnel matter involving the employment history of a Town employee.

**RESOLUTION #220**

Councilmember Wilson moved, seconded by Councilman Maranville to enter into Executive Session at 9:08pm with no further business to attend to. All in Favor. Motion Carried.

Adjourn:

Respectfully submitted by:  
W.P. Cleavland  
Deputy Town Clerk

Respectfully submitted by:  
Kristen MacEwan  
Minute Taker