

TOWN OF BOLTON
TOWN BOARD MEETING

Pledge: Councilmember Robert MacEwan

September 7, 2010

Regular Meeting

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

Call To Order: 7:03pm

Minutes: Approve minutes of Regular Meeting of August 3, 2010.

RESOLUTION #177

Councilman Smith moved, seconded by Councilman MacEwan to approve the August 3, 2010 Town Board minutes as written. All in Favor. Motion Carried.

- Sagbolt LLC, to: 1. To create a porte-cochere by constructing a roof over the driveway at the main entrance to the Hotel; 2. To renovate the existing Pavilion Restaurant to create a deck with additional seating, a modern kitchen and 4 new bathrooms.

Attorney Ben Pratt from Bartlett and Pontiff and Jeff Anthony, LA Group presented the application. Ben Pratt indicated that this is a minor PUD amendment on 2 areas of the hotel. The first area to be addressed is the entrance to the main hotel. They are proposing a porte-cochere which will protect their arriving and departing guests from the elements. This will extend over the existing entrance and over the driveway. Historically guests have registered at the Conference Center when arriving. However with the increase of the hotel rooms in the main hotel and the desire of the owners, the Walsh family, to show their guests the Hotel right off the bat as part of their marketing and sales approach, they have moved the check-in/check-out desk to the main hotel. This has worked very well so far with the guests with respect to their access and introduction to the hotel. The porte-cochere will only enhance this experience.

Ben Pratt stated that anyone that has reviewed this has not found any issues aesthetically, environmentally or developmentally. The APA has reviewed it but they are waiting to see what the Town will do before taking their final step of approval. He stated that they have a letter from Colleen Parker of the APA that refers to stormwater and sanitary sewer but that pertains to the other aspect of the project which is the Pavilion restaurant. Ben Pratt stated that the issues of stormwater and transportation have been handled by the LA Group and they do not believe that there is any negative impact at all to the porte-cochere

project. The Office of Parks, Recreation and Historic Preservation has indicated no historic impact. Neither the ZBA nor PB were concerned with this aspect of their request and gave positive recommendations.

With respect to the Pavilion Restaurant, Ben Pratt stated that the Walsh family has recognized that the lake is what brings people to the area and the closer that they can get people to the lake the better the guest experience is. The Pavilion Restaurant has been a long time functioning restaurant on the shoreline. They are proposing to upgrade the facility by adding 28 seats, a deck area, expand the kitchen and provide an additional 4 bathrooms. Ben Pratt stated that the lawn, beach and pool area are being heavily used at this point and guest bathrooms are needed in this area.

With regard to stormwater, Ben Pratt stated that it will be improved from what exists now. All of the rainwater from the land side of the roof will be transported into the ground instead of running off the roof directly onto the shoreline and into the lake. The area behind the restaurant will be improved aesthetically and drainage-wise with the removal of the brush and debris. He stated that all of the trees will remain and ground cover, drainage facilities and a retaining wall will be added, which will all facilitate stormwater.

Ben Pratt stated that there is a 2" sanitary sewer line that runs in this vicinity. Part of this project is to upgrade the pumping facility in the Pavilion Restaurant and that line can handle the addition of the 4 bathrooms without difficulty. He stated that Supervisor Conover has been helpful in having the Town Sewer Department review these plans as well and they found the same. It is not going to change the amount of usage or adding more people; it will just be changing the location of where people go to the bathroom and providing a better guest experience.

Ben Pratt stated that there is a 44' x 12' area being expanded on the building, which will allow for the 4 bathrooms and the expansion of the kitchen. Otherwise the building does not change and mass of the building will be reduced due to the removal of part of the roof.

Councilmember Rehm asked if they considered adding the additional bathrooms closer to the cabana and pool area rather than having to walk over to this side of the island. Jeff Anthony replied that there are 2 bathrooms in the cabana area. However, they are not adequate to handle the demand at the waterfront. He stated that with the addition of the dining terraces at the steamboat dock and the Pavilion, there is a need to accommodate more people. Ben Pratt stated that they felt that it would make more sense to expand on the Pavilion rather than creating a new building. Councilmember Rehm agreed.

Councilman Smith asked if they have inspected the footings of the Pavilion. Jeff Anthony replied yes, Carl Schoder is the structural engineer for the project. He stated that the landside on the west has a footing that is an old timber footing and it is rotted. They will remove that footing and put in a concrete footing and foundation. With regard to the lakeside or front timbers, some may need to be replaced but most were okay. He

stated that Carl Schoder is still working on final drawings and they are coming up with a 2 stage plan for erosion control, stormwater control and lake protection. They will use a silt fence along the edge of the lake and they will put a floating silt boom outside of the restaurant during construction. Ben Pratt indicated that if any of the timbers on the front side need to be replaced they will be replaced in kind.

Supervisor Conover asked Jeff Anthony to comment on the modifications and additional drawing that was provided in response to the comments of Tom Nace. Jeff Anthony stated at the request of the PB they had the project reviewed by Tom Nace specifically for stormwater purposes. Tom Nace had three comments. First, with regard to the roof water off the new addition, landside and the original plan showed a 4" pipe going into and a 6" pipe going out from the rain tanks. Tom Nace suggested they reduce the pipe to 4" to cause a delay of the water going out so that the tanks would hold the water and treat the water longer before it releases it. They have done that. Secondly, Tom Nace requested that they pitch the new flat deck surface of half of the building so that it drains to the rear or west (landside) of the building. That way it will be picked it up with positive drainage off the building and put it into their footing drains. They have done that also. Thirdly, Tom Nace asked how the water would escape out of the footing drains proposed. Jeff Anthony stated that every 20' there will be a weep in the footing drains and that would be coordinated with the structural engineer in the final set of construction drawings. Ben Pratt stated that the applicants have agreed to do everything that Tom Nace has requested.

Zandy Gabriels representing Gabriels Partnership and Jane Gabriels stated that they have reviewed the plans and feel that this will be a great addition to the Sagamore.

There were no further comments from the public in attendance.

- SEQRA Determination for Minor P.U.D. amendments

RESOLUTION #178

Councilman Maranville moved, seconded by Councilmember Rehm to designate the Bolton Town Board as the lead agency under the SEQRA on this application. All in Favor. Motion Carried.

Counsel Muller reviewed the short form of the SEQRA application submitted by the applicant. He asked if anyone had any concerns with C1-C6 of the SEQRA Form. The Board agreed that no negative impacts were found.

RESOLUTION #179

Councilmember Rehm moved, seconded by Councilman Smith to find that no adverse impacts with respect to the proposed application from Sagbolt, LLC. All in Favor. Motion Carried.

- Resolution regarding P.U.D. amendments for construction of a porte-cochere and renovation of the existing Pavilion Restaurant to create additional seating, a modern kitchen and 4 new bathrooms.

Councilmember Rehm stated that she would like to see any approval should be conditioned on having the Town Engineer review and sign off on the final plans. Supervisor Conover agreed and added that any recommendations from the PB with regard exterior lighting also be incorporated into the motion.

RESOLUTION # 180

Councilman Maranville moved, seconded by Councilman MacEwan to approve the minor PUD amendments as proposed with the following conditions: 1) that any final plans are reviewed and signed off by the Town Engineer, and 2) any exterior lighting is downward facing and shielded. All in Favor. Motion Carried.

Public in Attendance:

Nancy Williams and Gerry Tolchin spoke about the LGLC, trail system.

Gerry Tolchin stated that this is their second opportunity to present this project. The first was to gain approval for a grant proposal to the DEC. They are trying to bring in approximately \$290,000 from the DEC towards the purchase of the property. That grant was submitted in the middle of July and the Town generously supported the proposal. However State funds are scarce and not guaranteed so they are proposing an alternative plan and introduction to the property. Together with the land that was purchased by Ernest Oberer and the land that they hold with the LGLC, it is an easement of 235 acres and the most visible ridge line viewed from Town. He provided a slide show detailing their proposal for the Conservancy Plan.

Gerry Tolchin stated that in 2000 Andy Haigh placed 165 acres in an easement with LGLC and this land is all but the southernmost tip of the pinnacle. However, the southernmost tip is where Ernest Oberer proposed to place his houses. He briefly explained the Oberer project and the environmental concerns that it posed. He provided renderings of what the area would look like if the Oberer project were to be approved.

Gerry Tolchin stated that in March 2010 Ernest Oberer approached the LGLC with an offer to sell much of the property. Mr. Oberer has been thinking about what his property is worth and they have been having difficulty arriving at a figure and are still in the process of negotiations.

Gerry Tolchin stated that since March the LGLC has also been working on a business plan. The business plan is geared towards providing a benefit for the public and Town financially as well as environmentally. Their hope is to allow for recreation but not to remove its usefulness to the Town. They are proposing to sell 2 building lots which would be placed well below the pinnacle ridge. This would generate tax revenue for the Town. The LGLC would retain the 60 acres at the top, including the pinnacle for conservation and recreation. They are working on developing a plan for a trail system

that would connect with Cat Mountain which connects with Thomas Mountain. They hope that this trail system can also connect with the Conservation Club and bring it to the Town center.

Gerry Tolchin stated that they believe that Bolton has the opportunity to preserve this ridge and to create a world class trail system with stunning vistas. Protecting the pinnacle and investing in a trail system would bode well with the Town's Comprehensive Plan. Gerry Tolchin stated that they see this as a Town, LGLC and citizens partnership. He provided a draft plan for the trail system. He stated that they will need to continue to work on this because the full connection into the Town center will require some easements from private citizens.

Councilman Maranville asked what passive recreation means. Gerry Tolchin stated that the term means use by most types of recreation including trail bikes and snow shoeing, but does not allow the use of motorized vehicles.

Zandy Gabriels stated that he finds that the LGLC plan that was presented is in line with the Comprehensive Master Plan. The Master Plan also has made provisions for zoning changes to accommodate provisions of the Master plan. He stated that he is not sure if the group working on these zoning changes contemplated and made a decision for the community's recommendation on whether or not Bolton would allow ridge line development. He stated that he does not know because the plan is not available for review at this point. It would have been good to have around so that Bolton would have already made a decision with regard to ridge line development with the Oberer application and any future ridge line development.

Zandy Gabriels stated that part of the zoning revisions also contemplates changing the PUD requirements and process. He said that the Sagbolt followed the process but did seek permission to have the order changed slightly so that they could have their review in a shorter time period. He stated that he likes this process because it allows review by all Bolton Boards. He stated that he believes that the final PUD approval needs to come from the TB, but it is very important that each project is reviewed by the ZBA and PB. He thinks the Town should adopt this process and it should be incorporated into the revised zoning code. Zandy Gabriels also encouraged that the review of the PUD amendments at the ZBA, PB and TB meetings be considered public meetings so that public comments can be accepted by anyone in the community. He stated that the recent PUD amendments have been minor and non-controversial. However, it is important to protect the Town in the event that there is a major or controversial amendment to a PUD.

Zandy Gabriels stated that the Sagbolt proposal has virtually no impact on the Town's water and sewer system. However, it is the incremental growth on the sewer system that the Town has to be attentive to because it has a finite capacity which is being encroached upon by good development within the sewer district. He stated that they have to look 40 years into the future and incremental improvements over 40 years may push them to their full capacity for which they have no plan B or economic way to address. The Town has time to consider a plan for future generations and should do so.

Councilmember Rehm stated that she recalls a rather substantial PUD amendment for a stand alone building with approximately 50 rooms approved about 9-10 years ago. She asked if nothing was ever done at that time does the amendment still stand. Counsel Muller stated that the PUD stands as amended. Councilmember Rehm asked if they could add some provisions in the new zoning that would set up some sort of term or time frame from the approval. Counsel Muller replied yes they could put in a sunset provision like their variances do now. He stated that this is not in the current or proposed revisions but would be something they could consider.

Willie Bea McDonald stated that she and Kate Persons have been working on developing the website since the Town Board approved it in December 2009. She stated that it has taken a lot of time and Kate has been doing this in her spare time. They have met with the developer many times and it should be up by the end of the month. Willie Bea McDonald stated that it has a really nice feel to it and Kate has done a wonderful job. When it goes up at the end of the month it will be a live site. Kate Persons will be able to post notices, minutes or any announcements or changes within minutes. It will be easy to use and update. They are also training Penny Cleavland to be able to update the site in the event that Kate is not available.

With regard to zoning revisions, she stated that she and Kate are trying to make the zoning more user-friendly. However, because of the way they have been saved in the past they cannot break them up and put them in the way they are supposed to be. She stated that she worked on zoning revisions committee for years and was under the impression that it was ready to go. The revisions have been saved differently so it will be more user-friendly once they are approved for usage.

Supervisor Conover recommended going to the Planning Office to view the site. He stated that they will be running parallel with the existing site for a while to make sure that it is solid and then they will phase the old site out.

Councilmember Rehm thanked Willie Bea McDonald and Kate Persons for all of their hard work. She asked if their out-of-pocket expense with Mannix will be reduced once the site is up and running. Willie Bea McDonald replied that they will only have a hosting fee of \$400-500/year. Sue Wilson asked if the new site will have a new address. Willie Bea McDonald replied yes it will have a new address that is a little simpler. She stated that the new address will go into effect and both the new and old sites will run parallel until December 31st. After December 31st, if you type in the old address it will automatically bring you to the new site.

Correspondence:

- Lake George Waterkeeper regarding DEC Proposed Trash Collection Policy Changes
- Bernard and Shirley Russell notification to renew Liquor License, Hometown Diner, Rt. 9N, Bolton Landing, NY.

- Adirondack Park Agency, notice regarding application from Michael Dean and Terrence Ermiger for a two lot subdivision project, involving wetlands, East Schroon River Road, Bolton.
- Environmental Protection Agency, regarding motor vehicle waste disposal requirements for municipal facilities.
- Office of the State Comptroller, Thomas DiNapoli, Comptroller, regarding the Employer Contribution Stabilization Program allowing the amortization of a portion of employer pension contributions.
- John W. Ozard, Albany Chapter of the Adirondack Mountain Club, seeking permission to hold a kayak and canoe safety training at Veterans Park Memorial Beach on October 2, and 3, 2010 taught by the British Canoe Union (each class is a minimum of 6 hours).
- Department of Agriculture and Markets regarding elimination of Ag and Markets dog licensing responsibilities, including dog tag procurement, issuance of license renewals and the agency's centralized Dog Licensing System and that municipalities currently issuing dog licenses will fully assume these functions on January 1, 2011.
- Michael Muller, Esq., notification of termination of lawsuit against the Town of Bolton by Mr. Frank Passaro.
- Marshall and Sterling Insurance regarding insurance renewal with Trident for 2011.
- Sound amplification permit, Hans J. Winter, Hanson, LLC, Pumpnickels' Restaurant and The Wooden Barrel Bar and Grill, 4571, Lake Shore Drive, Bolton: 9/25/10 3pm-11pm; 10/1/10 6pm-11pm; 10/2/10 12:30pm-11pm; 10/3/10 1pm-11pm (Outdoor wedding on September 25th and Octoberfest).
- Sound amplification permit, David G. Sayles, 4524 Lake Shore Drive, September 24 & 25 7pm-1am and 2pm-12am respectively.
- Center for Occupational Health, Two Broad Street Plaza, Glens Falls, NY, regarding flu shots at work place.
- Warren County Real Property Tax Service Agency regarding tax delinquent properties.
- Lake George Park Commission, Distribution of the LGPC Marine Patrol Annual Report, request for email.
- Scott Brandi, President Ski Areas of New York, Inc., inviting participation in Disney Keys Seminar and also letting us know that they have extended the event two days from 9/20-24.
- APA Notification of creation of sediment control basin on Indian Brook by Lake George Association at the intersection of Federal Hill Road and New Vermont Road.
- Sound amplification permit, Jon Maranville, at Maranville Garage 9/12/2010, 2-6pm, Stony Creek Band.
- Time Warner Cable, regarding possible changes to channel offerings and changes scheduled to take place.

- Michelle Sharer, Rensselaer Outing Club, request to utilize Veterans Beach to launch canoes to Turtle Island, approximately 175 people departing and will be parking approximately 35 cars (10th year utilizing Veterans for this outing).
- Thank you letter from Alex Barrett to Town Board for use of folding tables.

Committee Reports:

Councilman Robert MacEwan

Water Department 12,000,000 gallons of water filtered. They have been busy with a lot of maintenance both off and on the grounds. In October they will be replacing two valves at the intersection of Mohican Hill and 9N. This will cost approximately \$4,000.

Transfer Station – Receipts \$11,948. They did have a big problem with the compactor; it sprung a leak and they had oil running all over the place. George Mumblow from the Parks Department came up and helped and did a very good job. They were lucky enough to get in contact with Jim Madison who worked over the weekend to get it fixed. There are still some things that need to be done, but overall the problem has been fixed. Since there was a spill the DEC was notified. Councilman MacEwan stated that the building needs some work and he is in favor of addressing it.

Councilman Maranville asked if the hydraulic line broke. Councilman Smith replied that it was a ¾” galvanized line that broke and they replaced it with a flexible hydraulic high pressured hose. He stated that they have the oldest compacting system in Warren County.

Councilmember Rehm asked if they have an annual maintenance program for the compactor in their budget. Councilman MacEwan replied yes they have had money in there but have never found someone to maintain it, but he feels that they have someone now.

Code Enforcement Officer- 22 page report, 20 site visits, 128 miles logged and 6 letters.

Councilman Owen Maranville

Police Department- They patrolled 2,861 miles and used 246.8 gallons of fuel. A detailed list of calls answered is available for review. They received 2 thank you letters; one from the LGLC and the other from Dan Daniger.

Assessor- The maintenance of deeds and property information was kept up to date. The computer file was turned into the County in July for the processing of the school tax bills. Updated lists of said changes were sent to the clerks for each of the districts. During August, he and Paul Maniacek, Assessor for Horicon and Chester, were the guests for a radio show regarding assessing procedures which aired on August 22nd. The show was sponsored by All American Properties. This fit in well with the County Assessors’ Association program of improving public relations.

On August 17, he attended the County Assessors’ meeting at Lakeside Lodge and Grill. With County, State and local assessors present the meeting was of interest and

informational. One topic that he feels the Town should be aware of is the newly-adopted uniform assessment standards which he has provided to all Board members. The standards are advisory in nature and cover the following:

- a. All real property is assessed at its current full value.
- b. Improved properties are assessed for current use and vacant properties at highest and best value.
- c. Market value is the price paid in an arms length transaction
- d. Mass appraisal is a necessary component for determining market value.
- e. Uniformity in the value of all parcels on each year's assessment roll
- f. Regularly schedule appraisals, at least once every four years.
- g. Procedural standards including maintaining computer records, sales certification, applying exemptions, disclosing public information, having effective public relations, being adequately staffed and funded.

Dave Rosebrook indicated that this is something that he has been doing in the office for years but have never been formalized into these set standards. He stated that since these are advisory standards and do not need to be adopted but acknowledgment is recommended.

On September 26th, Dave Rosebrook plans to attend the annual conference and education seminar by the NYS Assessors' Association. This year it is being held at the Crown Plaza in Lake Placid. Since he has met his continuing education requirements the State will not reimburse him for this travel which will affect his educational expenses. To cut down on expenses he will be staying at a nearby campground and will only take in one dinner at the Crown Plaza. On that night he is to receive a longevity award. Because they split the expense with the Town of Lake George, Dave expects a modest expense to be shared by the Town.

Councilmember Rehm stated that she is glad that he included this in his report. She stated assessors in NYS are required to get certain continuing education credits each year. The municipality is reimbursed for those expenses. However, once you acquired the number of units per year, anything above that is not reimbursed. Dave Rosebrook has already met those requirements for this year but he wishes to attend the annual conference. She stated that if they had more public servants like that the term public servant would mean something. Councilman Maranville asked if the Town would allow a stipend for him to stay at the hotel. Councilmember Rehm stated that it is a legitimate expense for the Town but he is being considerate because the Town will not be reimbursed.

Justice- Hon. Harry Demarest took in \$6,240, Hon. Ed Stewart took in \$7,800. Total money forwarded to the Town \$14,040. Itemized lists are available for review. Annette Saris wished everyone a Happy Labor Day.

Councilmember Deanne Rehm

With regard to the Assessment Standard document, Councilmember Rehm stated that in her 30 years experience this is a change in the way of how the State of New York

operates. They are noted for their top down approach and this has become a grass roots effort. The State is not requiring any municipalities to adopt these standards but they are suggesting that every community and Town familiarize themselves with the standards and encourage their assessor to follow them. Councilmember Rehm stated that she is pleased with this approach. She stated that although Dave Rosebrook has already been applying these standards she is glad to see that they are made public.

Library- Councilmember Rehm stated that there is an error in the Director's report which will need to be amended. She stated that she will have an updated report added to the September report. Some announcements- On October 16th, 1pm, there will be a luncheon fund raiser at the Sagamore. The fee is \$20 which includes a 3 course meal, glass of wine and a chef demonstration. If you buy your tickets by the 1st it is \$20 and at the door it will be \$25 or 27.

The Library is also planning a Town-wide Spelling Bee in the later part of November at the school. The school children are going to be the coaches and they are going to ask the Town to put together a team of Town employees or Board members to participate in the spelling bee. They also plan to have a marina team, restaurant team, etc. The Adirondack Phantoms will be the sponsors for this fundraiser.

Recreation Department- They had a great summer. Councilmember Rehm stated that the Rec. Dept serves the Town well and is something that the Town should be proud of. They will be opening the Center next week for the after-school programs. One of the things that they will be looking at for the budget is how the Department can interact with the Conservation Club and activities. Mrs. Huck has provided some suggestions and they will need to have some discussion with how this will be handled for the upcoming budget year.

Councilman Gregory Smith

Sewer Dept- took in 8,390,434 gallons of waste water, an average of 268,046 gallons/day. Monthly samples done and DMR's for July mailed with no violations. All beds are dry except for the ones in use. Kubricky fixed the manhole at Bolton Marina. They still have grease at Norowal North and South stations. There is still a problem with uniforms. Put up poles, chains and signs around the upper beds due to people going in and tearing up the lawn with cars and motorcycles. They have been mowing the grounds. Jar testing was done by Slack and Holland; they would like to do a pilot test with Slack and see how their results come out with the regular monthly testing. Cleaned the grit chamber and had 24,000 of liquid sludge hauled. The back flow preventer was tested which is fine. Jack Hall cleaned the boiler and furnace in the green shed which cannot be run until the new chimney is put in. Luke and Chet had 6 hours of education for contact hours.

Parks Dept- They were busy this weekend with the craft show and the Folk Fest. Councilman Smith stated that he thanked the crew for the extra hours that they put in this weekend.

Supervisor's Report:

- Receipts: \$1,040,582.68
- Disbursements: \$1,038,775.58

Occupancy Tax report review. Supervisor Conover stated that it looks better for 2010.

The pier pavilion dedication went very well and Supervisor Conover thanked all that attended.

Supervisor Conover stated that they will need to be working on the 2011 budget this fall. They also have to address their sewer and water district future needs and the Zoning update.

Old Business:

- Lower Brereton Road
- Lake George Camping
- Bixby Road

New Business:

- Resolution to accept \$1,100 matching funds from New York State for the Recreation Commission through the Warren County Youth Bureau.

RESOLUTION #181

Councilmember Rehm moved, seconded by Councilman Maranville to accept \$1,100 matching funds from New York State for the Recreation Commission through the Warren County Youth Bureau. All in Favor. Motion Carried.

- Resolution in opposition to DEC "Carry In, Carry Out" Garbage Pickup Policy and requesting DEC not enact such a policy.

There was discussion regarding the proposed policy. Councilman Maranville asked if the DEC has defended this policy. Supervisor Conover stated that the public has been very vocal about this proposal. He stated that he has contacted their State representatives and have meetings set up to discuss this program. The camping program is so important to the Town, visitors, economy and environment. With the cuts made to the State budget this was handed down. It will be up to the State representatives and local officials to try to explain how their program works, how it is different from other programs around the State and how this will negatively impact this program. Supervisor Conover stated that he is hoping that they can turn this around before people start making their reservations for next year.

Councilman Maranville asked if other Towns are adopting this resolution. Supervisor Conover replied that he believes that there may have been other resolutions adopted. He stated that Bolton is the gateway to the islands and it is important for them to have a public position to this. He stated that the meeting they are holding will be with DEC and State representatives as well as the communities on the lake.

Councilmember Rehm stated that she hopes that this is circulated not only to all of their elected representatives but also to the Local Development Corporation. She stated that Norowal Marina seems to be a big departure site for the vast majority of campers and Norowal would be one of the first spots impacted by this.

Zandy Gabriels stated that they rent out 46 boat slips and have a small garbage unit that is emptied twice a week during the summer. He can only guess where the balance of the trash is coming from. Most of the campers are considerate and go to Uncas Island.

When Uncas Island hits Norowal, the marinas around the lake are not going to accept garbage. He is not sure where it will go from there, but he can only anticipate that it will be dumped on Main Street or somewhere on 9N. Councilmember Rehm stated that she also feels that Rogers Park could be impacted by this as well. Councilman Maranville stated that the Town will have to spend money if this goes through because the other choice is not viable. He stated that they should prepare for it so they know how they will approach it. Zandy Gabriels stated that he heard that the State will only be saving \$92,000 by cutting this service.

Supervisor Conover stated that hopefully they will be able to gain some strides with DEC relative to this and together they can come to a better conclusion. He stated that it is important that they get this right for their visitors and residents.

RESOLUTION #182

Councilman Smith moved, seconded by Councilman Maranville to approve a resolution in opposition to DEC “Carry In, Carry Out” Garbage Pickup Policy and requesting DEC not to enact such a policy:

Whereas the NYS Department of Environmental Conservation has announced a “Carry In, Carry Out” Garbage Policy for the Lake George Island Campsites for 2011 and thereafter, and

Whereas, It is the opinion of the Bolton Town Board that this policy fails to adequately consider the unique nature of the boating and camping program on Lake George and the resulting environmental and economic impacts such a policy will have, and

Whereas, implementation of such a policy will have a negative effect on Lake George, its communities and region, and

Whereas, the “Carry In, Carry Out Policy” was established without any input from communities and stakeholders from around Lake George, and

Whereas, the Bolton Town Board believes the existing garbage pickup program developed over many years best serves the environment, the economy, our visitors and community,

Now Therefore Be It Resolved, that the Bolton Town Board is strongly opposed to enactment of the Carry In, Carry Out policy and requests that the NYS DEC rescind its decision.

All in Favor. Motion Carried.

- Resolution authorizing the Albany Chapter of the Adirondack Mountain Club to hold a kayak and canoe safety training course at Veterans Park Memorial Beach on October 2, and 3, 2010 taught by the British Canoe Union (each class is a minimum of 6 hours).

RESOLUTION #183

Councilman Maranville moved, seconded by Councilman Smith to authorize the Albany Chapter of the Adirondack Mountain Club to hold a kayak and canoe safety training course at Veterans Park Memorial Beach on October 2, and 3, 2010 taught by the British Canoe Union (each class is a minimum of 6 hours). All in Favor. Motion Carried.

- Resolution authorizing sound amplification permit, Hans J. Winter, Hanson, LLC, Pumpnickels' Restaurant and The Wooden Barrel Bar and Grill, 4571, Lake Shore Drive, Bolton: 9/25/10 3pm-11pm; 10/1/10 6pm-11pm; 10/2/10 12:30pm-11pm; 10/3/10 1pm-11pm (Outdoor wedding on September 25th and Octoberfest).

RESOLUTION #184

Councilman Maranville moved, seconded by Councilmember Rehm authorizing sound amplification permit, Hans J. Winter, Hanson, LLC, Pumpnickels' Restaurant and The Wooden Barrel Bar and Grill, 4571, Lake Shore Drive, Bolton: 9/25/10 3pm-11pm; 10/1/10 6pm-11pm; 10/2/10 12:30pm-11pm; 10/3/10 1pm-11pm. All in Favor. Motion Carried.

- Resolution authorizing sound amplification permit for band playing, David G. Sayles, 4524 Lake Shore Drive, September 24 & 25 7pm-1am and 2pm-12am respectively.

The Board discussed the fact that this is later than they usually allow. The property owner indicated that this permit is for his son. He also indicated that his son would have to comply with whatever the Town would approve. Councilmember Rehm stated that she is not willing to go past the 11pm deadline unless there are some extenuating circumstances. She continued that this is the first request from this applicant. The only person that they have allowed past the time limit has been Ed Corcoran and he is out in a field with no neighbors and has been doing so for many years without any complaints. Councilman Maranville stated that the Town ordinance only allows to 10pm but they usually allow the extension to 11pm. Supervisor Conover asked if they wanted to allow both days. Councilmember Rehm stated that the property owner was supposed to notify all of the neighbors and so far they have not heard from anyone objecting to this so she does not see why they could not allow both days as long as it ceases at 11pm.

RESOLUTION #185

Councilman Maranville moved, seconded by Councilman MacEwan authorizing the sound amplification permit for band playing, for David Sayles, 4524 Lake Shore Drive, September 24 from 7-11pm and 25th 7pm- 11pm and 2pm-11pm. All in Favor. Motion Carried.

- Resolution authorizing sound amplification permit, Jon Maranville, at Maranville Garage 9/12/2010, 2-6pm, Stony Creek Band.

RESOLUTION #186

Councilman Smith moved, seconded by Councilmember Rehm to authorize sound amplification permit, Jon Maranville, at Maranville Garage 9/12/2010, 2-6pm, Stony Creek Band. Councilman Maranville recused himself. All in Others Favor. Motion Carried.

- Resolution approving Michelle Sharer, Rensselaer Outing Club, request to utilize Veterans Park Beach to launch canoes September 24-26 to Turtle Island, approximately 175 people departing and will be parking approximately 35 cars (10th year utilizing Veterans for this outing).

Councilman Maranville stated that this has been successful over the years and there have been no complaints. He asked if there were any other events planned in the park that weekend. Supervisor Conover replied no.

RESOLUTION #187

Councilman Maranville moved, seconded by Councilman Smith to approve Michelle Sharer, Rensselaer Outing Club, request to utilize Veterans Park Beach to launch canoes September 24-26 to Turtle Island, approximately 175 people departing and will be parking approximately 35 cars. All in Favor. Motion Carried.

- Resolution to authorize the Bolton Chamber to utilize the front of the Town Hall for 6-8 artists on Columbus weekend, October 9th and 10th.

RESOLUTION #188

Councilmember Rehm moved, seconded by Councilman MacEwan to authorize the Bolton Chamber to utilize the front of the Town Hall for 6-8 artists on Columbus weekend, October 9th and 10th. All in Favor. Motion Carried.

- Resolution authorizing Supervisor to sign service contract with Greater Glens Falls Transit for 2011 at \$1,520 (unchanged from 2010).

Supervisor Conover stated that he would like to get the ridership figures for this year. He has had some preliminary discussions with them to discuss the schedule. He stated that each of the Board members have a survey form to comment about the transit, particularly during the summer which will be forwarded to Glens Falls Transit.

Councilmember Rehm stated that the schedule seemed to work, but she would be willing to see if they can add to it if it is merited. Councilman Smith agreed.

RESOLUTION #189

Councilman Maranville moved, seconded by Councilman Smith authorizing Supervisor to sign service contract with Greater Glens Falls Transit for 2011 at \$1,520. All in Favor. Motion Carried.

Supervisor Conover stated that he has had some discussion with Greater Glens Falls Transit about increasing the amount of times.

Public in Attendance

Bob Weisenfeld thanked Supervisor Conover for his prompt response to his mother's fax today regarding her accident that she incurred in the Town Hall parking lot on September 2nd. He stated that the sidewalk extension at the back of Town Hall is not readily visible to drivers and although there are 2 signs at either end indicating that there is no thru traffic they are not visible. He feels that it could be promptly addressed by providing better signage to prevent through traffic. He also feels that the sidewalk extension could be better marked with a sign, planters or a trash can to raise the profile to drivers.

Supervisor Conover stated that he discussed this with Chief Neumann today and they will be working on a solution. Councilman Maranville asked if it could be removed. Supervisor Conover replied that it is something they can look into as well as improving the signage.

With regard to the campsite garbage removal, Zandy Gabriels stated that he recalls doing research in the 1980's and found that the Lake George camping islands is the cash cow for DEC summer program. They make money off of this site where on other camping sites they lose money. Since DEC does not want to raise their rates across the board, they will have to suffer. If DEC kept its cash where it was generated and administratively reconfigured their summer program it might be beneficial to the Lake George region.

With regard to the inspection plan of Edgecomb Pond dam plan, Zandy Gabriels stated that he hopes that the Town has not accepted it or only accepted it as a preliminary draft. He stated that he feels that it is not adequate and there is information missing. He stated that their information is broad based and not accurate. He described what he thought should be looked at more closely and requested that the Town not approve this plan or treat this as a preliminary plan.

Paul Jordon requested a field for the school. He stated that there are plans out there but nothing is being done. He would like to have everyone sit down and talk about how they can accomplish this goal for the kids. He stated that this has been going on for 20 years. He stated that the Town has spent money on the Town such as building a new Town Hall and the purchase of a marina, Conservation Club for close to \$4 million dollars which is not bad, but no money is being spent on the school. He stated that these fields are from 1927, which are no longer up to the current league rules and standards.

Paul Jordan stated that he would like to see what could be done. They have 5 teams with 83 kids needing a field. He stated that he is not seeking to spend a ton of money but they have to try and do something. This is a community thing and he knows there is community support. He stated that they need a flat field. He understands that they could work with the dump field but they are waiting for the dredging sand and he asked how long they are going to wait for this to get done. He stated that he would like to sit down and discuss these plans and potentially come up with some funding to even create just one field.

Supervisor Conover stated that as they know that they have some fill that has been brought up and they have made some good progress. However, they need a lot more fill which they hope is coming their way but it is contingent upon the dredging project. He suggested that they at least get one field in place while the rest of the areas would be worked on. He understands that the one field is almost complete and wouldn't take much to complete. Paul Jordan stated that the School Board has their hands tied budget-wise. He stated that this can't be just a school problem. Supervisor Conover stated that he is talking to Soil and Water about the possibility of completing the one field.

Councilman Maranville stated that the school has the opportunity to purchase property adjacent to the current field for expansion and asked if they have explored that option. Councilman Smith stated that there are plans out there regarding a lot line adjustment to make a regulation field and to divvy up the Tennis Court property. However, they need to take into the consideration of the potential for a larger firehouse in the future. He stated that he is very interested in meeting with the School Board and discussing these options and make something happen. Supervisor Conover stated that he expects quite a bit of fill from the dredging projects but in the meantime they could consider getting an excavator in for 60 days and get fill from the Schroon River Road. He stated that he will get an estimation of how many cubic yards of fill are required to finish the field. Councilman Maranville agreed that this is a community issue, this is the only field they have to play sports on. Councilman Smith agreed and stated that it is nowhere near up to the regulations.

Councilman MacEwan stated that he has been to a lot of these games where they have had to transport the kids to another field even though they are the home team. Especially when it comes to play-offs or significant games. Councilman MacEwan asked if they have contacted the contractors in the community to see if they have any fill. Supervisor Conover stated that they have been contacted. He stated they will do their best to get this field on line by the spring.

Dennis Murphy, stated that he is not speaking for the School Board because he is not authorized to speak on behalf of the School Board. However, there is a member of the School Board of Education that was given the authority to speak with the Town Board and that person has done so. He told Paul Jordan that they are trying to do their best to get this project moving forward.

RESOLUTION #190

Councilman Maranville moved, seconded by Councilman Smith to authorize the following transfers and payment of the following bills:

Transfers:

FROM	TO	AMOUNT
General Fund12204 Supervisor	14102 Town Clerk	\$640.00
35104 Dog Control	35204 Animal Control	\$25.00
16204 Buildings & Grounds	71104 Parks	\$400.00

Highway Fund Increase Budget \$284,011.00 Fund Balance 2009

Chips 51122 \$284,011.00

Water District

83102 Adm.Equip.	83104 Adm., Cont.	\$1,000.00
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Sewer District

81202 Sewage Equip	81104 Adm.	\$1,000.00
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Conservation Park August payment \$76,408.50

UDAG to Rogers Park Docks \$238,000.00

Rogers Park Docks September payment OSI \$187,719.33
Final payment OSI \$50,345.56

VMJR, Conservation Park September \$50,967.50

Pay Bills:

AUGUST Mid Abstract:

	Voucher#	Amount
General	912-930,980-998	\$ 85,233.77
Highway	319	16.54
Water	190-191	1658.52
Sewer	185-187,194-197	3,935.36
Street Light	931,981,984-987	8,331.88

SEPTEMBER Abstract:

General	899-911,913-916,932-979,999-1019,1021-1036	54,294.34
Highway	289-318,320-342,344-346	126,791.03
Water	177-189, 192-202	8,397.90
Sewer	179-189,188-193,198-204	11,147.18
Tourism	39-46	4,033.20
Rogers Park Docks	7-8	3,174.93
Rogers Park Contractual	8	116.84
Light	1020	4,058.43

All in Favor. Motion Carried.

Executive Session: Personnel Matter.

RESOLUTION #191

Councilman Maranhville moved, seconded by Councilmember Rehm to enter into Executive Session to address a personnel matter at 9:00 pm. All in Favor. Motion Carried.

RESOLUTION #192

Councilmember Rehm moved, seconded by Councilman Maranhville to return to regular session at 9:20 pm. All in Favor. Motion Carried.

RESOLUTION #193

Councilman Maranhville moved, seconded by Councilman Smith to retain the services of Attorney Michael Muller at \$200/hour plus reimbursements to defend the municipality in a personnel matter. All in Favor. Motion Carried.

Adjourn:

RESOLUTION #194

Councilmember Rehm moved, seconded by Councilman MacEwan to adjourn 9:21pm. All in Favor. Motion Carried.

Minutes respectfully submitted by:
Patricia Steele
Town Clerk

Minutes respectfully submitted by:
Kristen MacEwan
Recording Secretary