

REGULAR MEETING  
BOLTON TOWN BOARD

January 2, 2019

Regular Meeting:

Supervisor: Ronald Conover  
Councilman: Robert MacEwan  
Councilman: Tim Coon  
Councilmember: Wanda P. Cleavland  
Councilmember: Susan Wilson  
Town Clerk: Jodi Connally  
Counsel: Michael Muller

Meeting Call to Order: 6:00 PM.

Minutes:

- Approve Minutes of Regular Town Board Meeting held December 4, 2018.
- Approve Minutes of Year End Town Board Meeting held December 27, 2018.

**RESOLUTION #27**

Councilmember Coon moved, seconded by Councilmember Cleavland to approve the minutes of the regular Town Board Meeting held December 4, 2018. **All in Favor. Motion Carried.**

- Approve the Minutes of the Year End Meeting held December 27, 2018.

**RESOLUTION #28**

Councilmember Cleavland moved, seconded by Councilmember Coon to approve the minutes of the Year End Town Board Meetings held December 27, 2018. **All in Favor. Motion Carried.**

Motion to convene as the Town of Bolton Local Board of Health

**RESOLUTION #29**

Councilmember Cleavland moved, seconded by Councilmember MacEwan to convene as the Town of Bolton Local Board of Health. **All in Favor. Motion Carried.**

Public Hearing: Septic Variance

Public Hearing: Wanda Joy Coon Dague – Parcel ID 171.07-1-18 - Property Location: 20 Lake View Terrace.

The following variance is sought to replace a conventional septic system with holding tanks:

- 1) In accordance with Resolution #186 set forth by the Town Board on September 1, 2009 Local Board of Health review is required for a holding tank.
- 2) Section 3.030 requires a 10' separation between the property line and holding tank. 8' is proposed.

Councilmember Coon recused himself.

Atty. Jeff Meyer presented the following:

- This is an extremely small lot that is served by municipal water.
- Unfortunately, there is no municipal sewer located there.
- The existing conventional system is mostly likely failing via the leach field.
- The tank was replaced a couple of years ago.
- Unfortunately, due to the property restraints, a conventional system will not fit on the site with all the required setbacks.
- They are proposing two 1,250 gallon concrete holding tanks, which is why we are here.

Tom Hutchins of Hutchins Engineering presented the following:

- Some of the physical constraints are the size of the lot and an adjoining well to the north which is relatively close to the property line and encumbers more than half of this parcel for the purposes of an absorption field.
- There is a surface water to the rear which encumbers more than the remaining half of the parcel in terms of the installation of an absorption field.
- The existing absorption field, for whatever reason, is located on an adjoining parcel and has been in failure for a period of time.
- They can't come up with a technical solution for a conventional system that would be compliant.
- The holding tanks are a solution of the last resort and the only technical solution he can see.
- They will utilize one of the existing septic tanks which was installed just a few years ago, as one of the holding tanks.
- They will be adding an additional septic tank in series with the existing tank with an alarm system.
- The alarm system will give a notification alarm first which will notify the owner that the tanks are filling up and they need to pump them out.
- If no action is taken, shortly thereafter a secondary alarm would sound and disable the water supply to the building until it is taken care of.
- This is standard alarm procedure for holding tanks.

Councilmember Wilson asked where the alarm panel would be mounted. Mr. Hutchins stated that he had not specified where they were to be mounted. They can be placed either inside or outside of the residence, it really doesn't matter. He would like to see them inside the residence. Councilmember Wilson asked if there was a technical reason why he liked to see them inside the home. Mr. Hutchins replied that the homeowner was less likely to overlook them if they were inside. Councilmember Wilson asked if there were audible and visual alarms at both 85% and

95%. Mr. Hutchins replied yes. Councilmember Wilson asked how they would reset the alarm or if it reset itself. Mr. Hutchins said they could silence the initial alarm, but the full alarm would reset when the level of effluent had dropped below the required amount.

Councilmember Cleavland asked about the 110 gallons per day usage. Mr. Hutchins explained that the 110 gallons per day per bedroom was a state standard. This is used to design all waste water systems that are in compliance with current state standards. Generally actual water usage is significantly less than 110 gallons per day per bedroom. In general, it runs about half that. He said when they looked at it, it appeared that it ran about 160 gallons per day total.

Councilmember Cleavland stated she had a different figure. Mr. Hutchins stated she must have different data than he did. They discussed the different figures for usage they were using. Supervisor stated that the water usage would vary by the season. Mr. Hutchins stated that when you are on holding tanks, extreme water conservation has to happen. They are not a preferred long term approach, however in this situation, this was the only approach he could present.

Supervisor Conover asked if anyone in the audience wanted to address this application.

Zandy Gabriels said he is not 100% familiar with this project, but he strongly suggests that the Board approves this variance.

Supervisor Conover closed the Public Hearing

Supervisor Conover stated that this is not ideal and that New York State DOH regulations specify that this system should only be considered in extreme situations when there are no other options available. He said Mr. Hutchins stated that there are no other options. Mr. Hutchins agreed and said he could not support any other option.

Supervisor Conover said that the alarms are very irritating when they go off. He said that you can silence them. He sees that they have stipulated that the alarm will go off at 85% capacity and the water would shut off at 95%. Mr. Hutchins replied this was correct. He explained that the 85% would be 2,100 gallons and the 95% would be 2,375 gallons.

Supervisor Conover stated that from his perspective this is the only system that would work on this particular site. The Town Engineer has said it is acceptable, but these tanks will need to be pumped quite frequently and he wants to make sure that the homeowner is aware that the pumping of this system will be frequent and quite costly. Atty. Meyer stated that they were aware of the cost involved and have received some rough quotes. Councilmember Cleavland inquired what the cost would be. Atty. Meyer stated they were anywhere from \$300 to \$400 each time.

Councilmember Wilson asked if the fixtures were going to be replaced with low flow fixtures. Mr. Hutchins said that should be considered and that would be the simplest way to reduce the water usage, but they do not specify in the plans that they were all to be replaced. Atty. Meyer stated that it seemed to go hand in hand.

Supervisor Conover asked if they were investigating scheduling pump outs on a regular basis as opposed to waiting for the alarm to go off. Atty. Meyer said there would be a little bit of a learning curve to see how much water they would be using. Supervisor Conover stated even if they pumped out once a month it would be approximately \$4,800 or more. Typically, this type of system is used seasonally. Mr. Hutchins stated that typically this system was the last resort. He would love to come before the Board with a better program, but he can't.

Councilmember MacEwan asked if there was a maintenance program being offered. Atty. Meyer replied there was one being internally budgeted, but there was not a maintenance system that is being offered that they would be willing to have stipulated as a condition.

Councilmember Wilson stated that prior to any conditions of approval she would require that the applicant would enter into a written stipulation with the Town of Bolton as follows.

1. That a holding tank system shall be installed in accordance with approved plans prepared by Thomas Hutchins Engineer and shall be considered the "replacement On Site Wastewater Treatment (OSWT) system" to be completed by the applicant in strict accordance with approved plans; Completion date no later than April 15, 2019.

Atty. Meyer stated he did not anticipate this being an issue, but there are certain things he can't control such as weather and contractors. He is ok with the April 15<sup>th</sup> date, but if there are extenuating factors beyond their control then it won't be able to happen. Atty. Muller stated that if it is not able to be completed on April 15<sup>th</sup>, they will need to come back to the Town Board at the May 7<sup>th</sup> meeting. The applicant agreed. Supervisor Conover asked if they agreed with a this being a stipulated agreement in terms of the enforcement action. Atty. Muller replied what is hammered out here as the stipulations will constitute the conditions for variance approval. It also will be able to be presented to the Supreme Court Judge and they will ask him to work on anything that is not able to be solved, without starting a new law suit. The Board discussed using a date other than April 15<sup>th</sup>. Atty. Meyer stated he believed the risk was minimal and the date they had was sufficient.

Supervisor Conover inquired if the outflow of the existing tank would be capped and the line and field would be abandoned in place. Mr. Hutchins said that the outflow from the existing tank would be directed to the new tank and the controls would be installed in the new tank.

Councilmember Wilson asked how long it would take to install the system. Mr. Hutchins said a day or two.

2. That the holding tank system (as designed by Mr. Hutchins) shall include an alarm when the tank is at 85% capacity and an alarm with automatic 'shut off' of the municipal potable water supply line when the holding tank is at 95% capacity.
3. That under any circumstances of a holding tank failure or where a "shut off" as designed in the OSWT system shall occur, the homeowner is required to notify the Planning Office of such event within 48 hours of its occurrence.

Atty. Meyer said his hesitation is, if there is a need within the time frame, and he believes this penalty seems to be more severe than the harm. If his client fails to have an up to date log of every alarm that is activated, will they be at risk of being in contempt of court? The penalties can be severe. His client does not want to be evicted from his home, but he also does not want to be paying triple penalties or whatever else may be triggered if he takes longer than the allotted time to report an alarm activation. There is a lot of interplay that can happen. The notice requirements and the record keeping requirements, outside of pumping, seem to create a long term burden for the applicant and the Zoning Administrator. Supervisor Conover stated that he believes that the thinking here is not only for the proper and healthy disposal of effluent, it is also the fact that a house without potable water is not habitable which is the genesis of this. Atty. Muller stated that they could have flexibility of additional hours, but they are in a balancing test. They want to make sure the house has potable water and that the neighbors are protected in terms of this system not being abandoned. It can not be unreasonable extended so that there is no notification. There has to be some ability for the Town, in ending this lawsuit, to be able monitor that there is success here. This was not a concerted effort on the part of the Town of Bolton to quickly snap down on these homeowners. This dragged on for approximately 14 or 15 months before it was able to be brought to court. In the interim, there were exerted efforts on the part of the Town to assist to cover it, put lime on it, bring sand to it and try to basically make it work. They are trying really hard to make this work. He feels it is essential to have a notice requirement and record keeping. Atty. Meyer said he thought it was a logistical headache for the property owner and the Town. Atty. Muller agreed that it was a logistical headache for the Town, but they need some monitoring that the town participates in. Perhaps it is intense in the beginning for the first 12 to 18 months and there being no deviations or failures the applicant could be relieved of the reporting requirement. The Board discussed the issue and decided that it should remain at the 48 hours.

4. That in the event that a “shut off” event may occur, within 48 hours of such event the homeowner shall be required to have the holding tank pumped out by a New York licensed septic hauler and the homeowner shall further provide a written notification to the Planning Office of the date of the pump out, the name, address and other contact information of the New York licensed septic hauler that completed the pump out.

Atty. Meyer inquired if this notice was also within the 48 hours, or if the applicant could have the tank pumped out in 48 hours and provide a notice a day later. Atty. Muller said if it was not specified it meant if it was reported within a reasonable time.

5. That in the event that any type of OSWT system failure may occur, within 48 hours of such event the homeowner shall be required to act diligently and with all reasonable promptness to have the system failure remedied or repaired and the homeowner shall further provide a written notification to the Planning Office of the date of the event and the name, address and other contact information of any repairmen or contractor that completed the remedy or repair.

6. That the homeowner shall prepare and maintain at the residence a written “log” of all of the following OSWT events: (a) the date of any holding tank system failure, (b) the date of any “alarm” activation [at 85% capacity; 95% capacity; municipal water shut off], (c) the date of every holding tank pump out with the name, address and other contact information of the New York licensed septic hauler that completed the pump out,(d) each repair or replacement to the system with the name, address and other contact information of the contractor providing such repair or replacement . The written log shall be available for inspection by the Town of Bolton Zoning Administrator and the Local Board of Health, or its agents upon reasonable notice to the homeowner.

Atty. Meyer asked that the 85% capacity be removed. While they hope that the alarm never goes off, if it does go off, it does not mean there is a problem. He questioned the length of time the records would need to be kept, and if they were subject to FOIL. Atty. Muller stated they were subject to review and they should maintain it for as long as the holding tanks are there. The Board agreed to remove the 85% capacity and leave it just at the 95% capacity.

7. That the homeowner shall not allow, cause or act in any manner so as to tamper, disconnect, disengage or otherwise modify, alter or reconfigure any essential part or configuration of the approved OSWT system.
8. That the homeowner, at any time, upon reasonable request of the Town of Bolton or its agents shall allow the municipality, its employees or agents to inspect the OSWT system and the required written log which is maintained by the homeowner for compliance with the requirements hereof.
9. Conduct on the part of the homeowner or any co-occupant within the homeowner’s dwelling or residing at the property that constitutes a material deviation from the requirements of this stipulation and/or violations of the grant of a variance by the Local Board of Health from the requirements of the Town of Bolton Sanitary Sewage Disposal Ordinance #36, or any other circumstance that in and of itself shall constitute a violation of the requirements of the Town of Bolton Sanitary Sewage Disposal Ordinance #36 shall constitute a material breach of this stipulation and grounds for the Town of Bolton to reopen, upon notification to the homeowner, the civil litigation concluded upon the terms hereof further allowing to the Town all opportunities to seek all remedies available in law or equity from the court, including, but not limited to a requirement that the homeowner’s premises be declared by court order to be uninhabitable, that the homeowner and all co-occupants be required to vacate, that the Town recover its enforcement expenses, attorneys fees and recovery all costs and disbursements incurred in enforcing the requirements herein.

Atty. Muller stated that assuming that the system is working great and the homeowner is doing all the reporting everything should be fine, but in the last paragraph he has prepared for the case that they homeowner deviates from the expectations of the ordinance and this summary. An example of a deviation would be the running of grey water out a hose or pipe away from the holding tanks.

- Resolution declaring the Town of Bolton Sewer District as Lead Agency.

### **RESOLUTION #30**

Councilmember Wilson moved, seconded by Councilmember MacEwan to declare the Bolton Town Board acting as the Sewer District as Lead Agency under SEQRA for the proposed project at 20 Lake View Terrace, Tax Parcel ID 171.07-1-18. **All in Favor. Motion Carried.**

- Resolution regarding SEQRA Determination.

Atty. Muller read and went through the SEQRA form with the Board.

Supervisor Conover asked the Board the following questions;

1. Do any of the Board Members have concerns with any of the items listed 1 through 20 in Part 1, on the SEQRA Form as submitted by the applicant? No
2. Will the proposed action impact any of the items listed 1 through 11 in Part 2 of the SEQRA Form? No
3. Do the Board Members agree that this project will result in no adverse impacts on the environment; and, therefore an environmental impact statement need not be prepared? Yes.

Based upon the materials submitted and accepted as part of the record, our findings are as follows:

- A. The Applicant's SEQRA submission, and our analysis of the issues presented, demonstrates that there are no significant environmental impacts or concerns.
- B. The applicant has provided clear and complete responses to issues recited in the SEQRA questionnaire and based upon all information reviewed by this lead agency in its SEQRA analysis, including a thorough "hard look" and consideration of the applicant's entire submission, and upon all board and public comments received, it is appropriate in the opinion of this lead agency to make a finding that the proposed action will result in no adverse environmental impacts and that any identified adverse environmental impacts will not be significant, or where identified, are sufficiently mitigated by virtue of the conditions imposed in granting approval. **All in Favor. Motion Carried.**

### **RESOLUTION #31**

Councilmember Wilson moved, seconded by Councilmember MacEwan to make a negative declaration with regard to SEQRA for the septic variance application proposed for the project at 20 Lake View Terrace, Tax Parcel ID 171.07-1-18. **All in Favor. Motion Carried.**

- Resolution to grant variance and relief to Wanda Coon-Dague at 20 Lake View Terrace, Tax Parcel ID 171.07-1-18.

Atty. Meyer inquired about the addition of the stipulation of the installation of low flow devices. Mr. Hutchins said it had been discussed and they thought they really should have them with this system.

### **RESOLUTION #32**

Councilmember Wilson moved, seconded by Councilmember MacEwan that having declared the Bolton Local Board of Health as Lead Agency, having held a public hearing and made a Negative Declaration for the SEQRA Application, make a motion to approve this variance application for the installation of a holding tank, as approved by Town Engineer Tom Nace, on parcel ID # 171.07-1-18 in with the following condition: 1) Prior to any construction for the holding tank, the applicant shall enter into a written stipulation as follows with the Town of Bolton which shall be supervised by the New York State Supreme Court in Warren County and shall settle any pending civil litigation:

1. Within a reasonable time after completion of the installation of the approved holding tank specified in the septic variance the homeowner shall install low flow plumbing fixtures in the home.
2. That a holding tank system shall be installed in accordance with approved plans prepared by Thomas Hutchins Engineer and shall be considered the “replacement On Site Wastewater Treatment (OSWT) system” and installation shall be substantially completed by the applicant in strict accordance with the approved plans with a completion date no later than April 15, 2019. Upon demonstrated need, the indicated completion date may be extended to May 7, 2019 at the sole discretion of the Bolton Town Board, acting as the Local Board of Health, upon a showing of extenuating circumstances.
3. That the holding tank system (as designed by Hutchins) shall include a system alarm when the holding tank is at 85% capacity and an alarm with automatic ‘shut off’ of the municipal potable water supply line when the holding tank is at 95% capacity.
4. That under any circumstances of a holding tank failure or where a “shut off” as designed in the OSWT system shall occur, the homeowner is required to notify the Planning Office of such event within 48 hours of its occurrence.
5. That in the event that a “shut off” event shall occur, within 48 hours of such event the homeowner shall be required to have the holding tank pumped out by a New York licensed septic hauler and the homeowner shall further provide a written notification to the Planning Office of the date of the pump out, the name, address and other contact information of the New York licensed septic hauler that completed the pump out.
6. That in the event that any type of OSWT system failure may occur, within 48 hours of such event the homeowner shall be required to act diligently and with all reasonable promptness to have the OSWT system failure remedied or repaired and the homeowner shall further provide a written notification to the Planning Office of the date of the event and the name, address and other contact information of any repairmen or contractor that completed the remedy or repair.

7. That the homeowner shall prepare and maintain at the residence a written “log” of all of the following OSWT events: (a) the date of any holding tank system failure, (b) the date of any “alarm” activation event due to a 95% holding tank capacity with municipal water shut off, (c) the date of every holding tank pump out with the name, address and other contact information of the New York licensed septic hauler that completed the pump out,(d) each repair or replacement to the OSWT system with the name, address and other contact information of the contractor providing such repair or replacement . The written log shall be available for inspection by the Town of Bolton Zoning Administrator and the local board of health, or its agents upon reasonable notice to the homeowner.
8. That the homeowner shall not allow, cause or act in any manner so as to tamper, disconnect, disengage or otherwise modify, alter or reconfigure any essential part or configuration of the approved OSWT system.
9. That the homeowner, at any time, upon reasonable request of the Town of Bolton or its agents shall allow the municipality, its employees or agents to inspect the OSWT system and the required written log which is maintained by the homeowner for compliance with the requirements hereof.
10. Conduct on the part of the homeowner or any co-occupant within the homeowner’s dwelling or residing at the property that constitutes a material deviation from the requirements of this stipulation and/or violations of the grant of a variance by the Local Board of Health from the requirements of the Town of Bolton Sanitary Sewage Disposal Ordinance #36, or any other circumstance that in and of itself shall constitute a violation of the requirements of the Town of Bolton Sanitary Sewage Disposal Ordinance #36 shall constitute a material breach of this stipulation and grounds for the Town of Bolton to reopen, upon notification to the homeowner, the civil litigation concluded upon the terms hereof, further allowing to the Town all opportunities to seek all remedies available in law or equity from the Court, including, but not limited to a requirement that the homeowner’s premises be declared by Court order to be uninhabitable, that the homeowner and all co-occupants be required to vacate, that the Town recover its actual enforcement expenses, attorney’s fees and recovery of all costs and disbursements incurred in enforcing the requirements herein.

**All in Favor. Motion Carried.**

Public in Attendance:

Zandy Gabriels spoke on the following:

- Wants to know the phosphate concentrations of the effluent when it gets to the sand beds and would like to have it compared to the phosphorus concentrations when it gets to the lake itself.
- His thoughts on the previous application and his beliefs that the town will have to decide how much substandard development is going to occur. The environmental conditions are changing.
- If the judge eventually decides to declare this property uninhabitable, the town should buy the property at full market value and demolish the house and make it a park or

subdivide it into other properties, when it becomes to expensive for that family or any other family to maintain.

- His thoughts on holding tanks and the enforcement by the town on the conditions imposed.

Correspondence:

- NYS DEC approval of Town of Bolton Sewer District Engineering Report EPG #42254.
- Nace Engineering regarding Septic Variance.
- Mayor Blais annual report.

**Committee Reports:**

**Councilmember Robert MacEwan**

Justice Court:

- During the month of December 2018, Judge Edward White took in \$5,361.00 and Judge Edward Stewart took in \$4,534. Total monies forwarded to the Town of Bolton amounted to \$9,895.00. There are itemized lists located in the Court if anyone desires to look them over.

Transfer Station:

- Total for the month is \$4,834.00
- Spring cleanup cards \$2,864.00
- Building in need of repairs.

Highway:

- Graded dirt roads.
- Hauled sand.
- Cleaned ditches before rain storms.
- Cut and chipped brush and downed trees.
- Attended safety classes.
- Item #4 several dirt roads and graded.
- Clean up leaves on Main Street.
- Sanded and salted several long ice storms.

**Councilmember Tim Coon**

Assessor:

- The Senior (Aged) exemption renewals have been mailed and the office will be busy renewing the Exemptions for 2019 Assessment roll.
- The Valuation process is now in full swing for filing of the Tentative Roll on May 1<sup>st</sup>. We are reviewing properties that have acquired building permits/certificates of occupancy, recent sales and continuing to update the photos on the V4 file.
- For the 2018 calendar year, the office has processed 145 sales of which 67 of those are valid sales, with 14 out of the 67 sales ranging from \$1,075,000. To \$4,950,000.

### Water:

- Total flow to distribution for the month of December is 10,616,444 gallons.
- Monthly total coli-form and enumerated E-coli tests were taken according to the sampling schedule. All tests were negative.
- Lead and copper testing were completed according to schedule.
- Responded to several U.F.P.O. requests.
- Conducted all general maintenance and plowing at the water plant and P.R.V. stations.
- Upon completion of a chemical pilot program using the coagulant pch180, it was determined to continue the use of this coagulation product in place of pc 2300. The same results were achievable with pch180 as with pc 2300 at a lower price per gallon. The amount of soda ash needed was also reduced with the pch180 as it has a higher Ph level than pc 2300. This will also result in savings by using less soda ash to maintain the Ph level of the water. The Ph level is maintained at 7.0.
- Repaired a non-functioning curb key at 160 Horicon Ave. Thank you to the grounds department for their help with this job.
- The outlet pressure of the Potter Hill P.R.V. station was turned up slowly over the course of two weeks to try and bring the valves out of the cavitation zone. Being within the cavitation zone can cause erratic functioning of the valves. Cavitation is the sudden vaporization and condensation of a liquid downstream of the valve due to low pressure zones. When flow passes through a throttled valve, a low-pressure zone forms immediately downstream of the valve. The valves are responding well to the pressure change. This change has also helped the low-pressure issues being experienced by customers close to the station. We have received positive feedback from them on the changes.
- The pressures of the Horicon Hill P.R.V. and Brailey Hill P.R.V. station have also been adjusted to ensure they are not in the cavitation zone. These adjustments have gone well and improved conditions throughout the entire distribution system. The situation will continue to be monitored and the appropriate adjustments made to optimize the operation of the distribution system.
- All emergency calls were responded to and resolved by water department staff.

### Sewer:

- Total flow for the month 5,763,565 gallons for a daily average of 192,000 gallons.
- Casella hauled 56,000 gallons of sludge.
- Cleaned the main pump station and Norowal station. Scraped all of the grease off the walls and pipes.
- We have had multiple alarms due to high flow. The flow is much higher than past years. We have inspected quite a few manholes trying to figure out where all of the water is coming from. We have found the spots that need to be addressed.

- Jack Hall was here repairing one of our heaters. The control sensor was bad.
- On 12/16 we had a blockage at the main station. The inlet pipe was blocked with grease. We had to break the grease up and remove it in the wet well.
- Mike Fitzgerald was here installing some new lights.
- On 12/20 our sludge pit was filling up several times a day and having to be pumped at least 2 times a day. Mark Suozzo was here, and we determined that the 6-inch pipe going through the pit was leaking from clarifier. We got estimates on repairing the line. Ellsworth and Son was low bidder and will start work the first week of January.
- On 12/25 Matt received a phone call about a sewer leak behind the former Anne's Bait and Tackle. There was a leak behind the house. Talked with Supervisor Conover and the home owner and they decided to meet the next morning and come up with a plan. Matt filed a New York alert reporting the sewer overflow. The report was on going for about 20 hrs. The next morning Matt and Justin determined that the gravity line from Sagamore road to Norowal road was partially plugged. They had to call Lake George to come up and clean the line and remove the grease and rags from the manhole. The home owner called Don Kingsley Excavating to dig up the line. The line was broken from a previous connection made on the line.

Councilmember Coon thanked Matt and Dylan for coming out on Christmas day.

### **Councilmember Susan Wilson**

#### Planning / Zoning:

- The Planning Office for the month of December collected fees in the amount of \$1,365.00 for various items including Certificates of Compliance, Septic Permits, Variances, Site Plan Reviews, Stormwater Permits, After the Fact Fees and Engineering Fees.
- Pam, Mitzi, Mike and I continue to meet with Jim Martin to review the zoning code update.
- We also meet regularly each month to discuss projects, issues or concerns or to meet with residents.

#### Town Clerk's Office:

- Dog licenses and renewals.
- Hunting / fishing licenses.
- Collected water /sewer rents, prepared equipment for January reads.
- Preparation for 2019 Town & County tax season.
- Collected, processed and receipted \$106,440.73 in tax payments as of December 31, 2018.
- Extremely high volume of mail and telephone calls pertaining to 2019 Town & County tax questions.

- The Town and County Tax information is available on the Town's website.
- Multiple abstracts completed by Rebecca in preparation for the end of the year bills.
- Continue to update files in accordance with the MU1.
- Dig safely requests.
- Ordering of supplies for various departments.
- Marriage licenses.
- Death certificates.
- Notarized numerous documents.
- Finally, Jodi would like to recognize the outstanding job done by her staff during her unexpected absence. Rebecca & Aimee truly stepped forward to complete all the tasks necessary to the office of the Town Clerk and they did so with professionalism.

#### Veterans Park Advisory Committee:

- The Veterans' Park Advisory Committee is still collecting input on the proposed elements that are under consideration for the redevelopment of the park.
- Information about this project is currently available on the Town website and the community is invited to provide comments on each element.
- Comments will be accepted through mid-January after which time the committee will meet again to review community input.
- The information and an input form are provided in the Printable Documents Section under the Public Notices tab.

#### Supervisor's Report:

- Deposits: \$770,161.58
- Disbursements: \$1,120,545.98
- Sales Tax for November were +4.2% year to date 5.5%.
- CFA Awards: 1 million Dollar Waste Water Improvement Grant; \$600,000 LWRP Grant for Rogers Park Improvements.
- Warren County Sales Tax. *There has been some discussion at the county in regards to equalization and apportionment as it relates to sales tax. There is at least one proposal floating around that is not very good for at least 6 municipalities. This is something that they will be keeping a close eye on and they should all be aware of it and any meetings that will be held on this subject.*
- Location of Water line service on 1<sup>st</sup> Street. *They put fill on the line where it is nearest to the surface and they will revisit in the spring.*
- Need for Sewer Jet Pump. *The town really needs to get a sewer jet pump so in the event of an emergency they can respond quickly.*
- Receipt of 2<sup>nd</sup> Mortgage Tax receipt of \$81,219.96 Total for the year: \$154,263.05 (\$5,736.95)

#### New Business

- Resolution to appoint Gena Lindyberg to the Board of Assessment Review with the term to expire 9-30-2023.

The Board agreed that she did a great job.

**RESOLUTION #33**

Councilmember MacEwan moved, seconded by Councilmember Coon authorizing the appointment of Gena Lindyberg to the Board of Assessment Review with the term to expire 9-30-2023. **All in Favor. Motion Carried.**

- Resolution to appoint Gena Lindyberg to a 7-year term on the Bolton Planning Board with term to expire 12/31/2025.

**RESOLUTION #34**

Councilmember Wilson moved, seconded by Councilmember Coon to appoint Gena Lindyberg to a 7-year term on the Bolton Planning Board with term to expire 12/31/2025. **All in Favor. Motion Carried.**

- Resolution to approve awarding emergency general construction work to Ellsworth and Sons Inc. and Don Kingsley Excavating, LLC.

Supervisor Conover said they answered the bids and met all the requirements for a list of contractors that they could call in case of an emergency. He thanked Mark Suozzo and Matthew Coon for all their efforts in getting this list together.

**RESOLUTION #35**

Councilmember Coon moved, seconded by Councilmember Wilson approve awarding emergency general construction work to Ellsworth and Sons Inc. and Don Kingsley Excavating, LLC. **All in Favor. Motion Carried.**

**Public in Attendance:**

Zandy Gabriels asked if there were provisions in the new grant to slip line the remaining two miles of sewer line. Supervisor Conover stated that there was, but he was not sure if it was for the entire two miles.

Zandy Gabriels asked if there were also any additional elements to enhance the phosphorus removal within the sewer effluent before it hits the sand pits. Supervisor Conover stated that as Mr. Gabriels knows, the town is already in compliance with phosphorus levels, but there is an element that includes the installation of an additional filter to the 4 that are already there. He is not sure to what degree this will help in lowering the phosphorus, but they are already in compliance with DEC levels. Mr. Gabriels said DEC allows higher standards of phosphorus to get to the sewer drain than what exists in his lake and he wants to know what the town is doing about it before it gets into his lake.

**RESOLUTION #36**

Councilmember Cleavland moved, seconded by Councilmember Coon to approve the following transfers: **All in Favor. Motion Carried.**

TRANSFERS FOR DECEMBER 2018 – YEAR END at January 2019 MEETING

To	From	Amount
<u>GENERAL:</u>		
1220.4 Supervisor CE	1220.2 Supervisor EQ	\$18.
1355.4 Assessor CE	1355.2 Assessor EQ	\$19.
3120.4 Police/Constable CE	3120.1 Police/Constable PS	\$492.
5132.4 Garage CE	1990.4 Contingency	\$778.
8030.4 Research CE	1990.4 Contingency	\$630.
8160.4 Refuse & Garbage CE	1990.4 Contingency	\$2,348.
<u>HIGHWAY:</u>		
5110.4 General Repairs CE	Fund Balance	\$7,453.
5112.2 Permanent Imp	Fund Balance	\$25,289.
5130.4 Machinery CE	Fund Balance	\$8,713.
5142.4 Snow Removal CE	Fund Balance	\$8,118.
<u>WATER:</u>		
8310.4 Administration CE	8310.1 Administration PS	\$2,543.
8330.4 Purification CE	8340.2 Transm/Distr EQ	\$1,332.
<u>SEWER:</u>		
8110.4 Administration CE	1950.4 Judgments & Claims	\$753.
8110.4 Administration CE	8130.2 Sewage Treatm EQ	\$72.
8130.4 Treatm/Disposal CE	8130.2 Sewage Treatm EQ	\$114.

**RESOLUTION #37**

Councilmember MacEwan moved, seconded by Councilmember Coon to approve payment of the following bills: **All in Favor. Motion Carried.**

Pay the Bills:

	Vouchers	Amount
Abstract 12C		
General	1840-1865	\$7,693.76

Highway	595-607	50,115.55
Sewer	463-469	939.41
<b>Water</b>	339-351	3,874.54
Tourism	58	1085.09
Vets Park	7	3,488.51

Abstract 1

General	1-12	\$93,043.16
Highway	1	7,379.00
Sewer	1-3	7,309.85
Water	1-2	3,031.00
St Lights	1	604.47

Adjourn:

**RESOLUTION #38**

Councilmember MacEwan moved, seconded by Councilmember Coon to adjourn. **All in Favor.**  
**Motion Carried.**

Adjourn: 8:04

pm

Minutes respectfully submitted by:

Jodi Connally  
Town Clerk

Katie Persons  
Minute Taker