

REGULAR MEETING
BOLTON TOWN BOARD

August 6, 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.

Pledge: Councilmember Coon

Please stand for a moment of silence for: Angus Wilson, Barry Butler & Tom Taylor.

Minutes:

- Approve the July 2, 2019 Regular Town Board Meeting Minutes.

RESOLUTION #149

Councilmember Coon moved, seconded by Councilmember MacEwan to approve the Minutes of the regular Town Board Meeting held July 2, 2019. **All in Favor. Motion Carried.**

Public Hearings:

Public Hearing regarding outdoor amplification permit represented by Tammy Tougaw for amplified outdoor music September 1, 2019, 1-5pm at 56 Edgecomb Pond Road-The Bolton Conservation Park.

- Resolution regarding outdoor amplification permit represented by Tammy Tougaw for amplified outdoor music September 1, 2019, 1-5pm at 56 Edgecomb Pond Road-The Bolton Conservation Park.

RESOLUTION #150

Councilmember Cleavland moved, seconded by Councilmember Coon to approve outdoor sound amplification permit by Tammy Tougaw for amplified outdoor music September 1, 2019, 1-5pm at 56 Edgecomb Pond Road-The Bolton Conservation Park. **All in Favor. Motion Carried.**

Public Hearing regarding outdoor amplification permit represented by Kelly Gilbertson for amplified outdoor music August 31, 2019, 4:30-10pm at 4860 Lake Shore Drive-Bixby Estate.

- Resolution regarding outdoor amplification permit represented Kelly Gilbertson for amplified outdoor music August 31, 2019, 4:30-10pm at 4860 Lake Shore Drive-Bixby Estate.

Clay Smith stated that Andy Pratt would be the DJ.

RESOLUTION #151

Councilmember Cleavland moved, seconded by Councilmember MacEwan to approve outdoor sound amplification permit by Kelly Gilbertson for amplified outdoor music August 31, 2019, 4:30-10pm at 4860 Lake Shore Drive-Bixby Estate. **All in Favor. Motion Carried.**

Convene as the Town of Bolton Board of Health

RESOLUTION #152

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

Septic Variance:

Public Hearing regarding septic system replacement to discuss and possibly grant a variance on August 6, 2019 at 6:00 PM at the Town Hall for a wastewater disposal system for property owners Scott Kiniry and Willow Avenue Lakeshore Property LLC (Ken Rifenburg). Tax Map # 156.12-1-19. Property location: 8 Willow Lane. The following variance is sought to replace an existing seepage pit with an Elgin Absorption Trench system within 200 feet of the shoreline of Lake George: In Accordance with Section 3.020 General Standards of the Town of Bolton Sanitary Sewage Disposal Ordinance (C) No leaching facility will be permitted within two hundred (200) feet of the mean high water mark of a lake, pond, river, permanent or intermittent stream, if the percolation rate is 0 to 3 minutes per inch. 174 feet is proposed.

Dennis MacElroy of Environmental Designs presented the following:

- The closing was last week, and Mr. Rifenburg is now the new owner of the property.
- They investigated the site and did test pits and developed a design which was reviewed by the Town Engineer and approved.
- The issue that brings them here is the fact that the perc rate was less than 3 minutes, which requires a variance by the town ordinance.

David Quinn neighboring property owner to the south inquired about the system they were using and how far away it was from his well.

Mr. MacElroy explained that the proposed technology is an elgin system which is a technology that meets NSF40 certification which is a status recognized by NYS DOH. There are a number of technology's that are available, and they would also require the same variance because of the location of the absorption field which is now 174' away from the lake, which is further away than the existing system. He could not determine the well location on Mr. Quinn's property. He asked him to point it out on the plan and determined the system was at least 65' from the property line. Mr. Quinn pointed it out and stated it should be 100' away. Mr. MacElroy stated it was further away from the well than the current system was. Mr. Quin stated he had no objection. Supervisor Conover stated it was a huge upgrade from what presently exists. He asked if they would be pumping out the existing tanks and system and terminating them. Mr. MacElroy replied yes.

Supervisor Conover asked if the alarm system included an automatic shutoff on the water. Mr. MacElroy replied no and explained how the control system worked on this type of system. He stated this was different than a holding tank system and an alarm is not typical of this type of system. Supervisor Conover asked if one could be added. Mr. MacElroy stated that if it was something the Board required; they could do it even though it was not something that was typically done.

Zandy Gabriels from the public questioned if the first pump goes out and the second one kicks in, how you would know the first one is out. Supervisor Conover said this was a great question and said that adding the alarm would notify the homeowner that something has gone wrong if they are away. Mr. MacElroy suggested an additional float at a higher level which would be a secondary alarm that could be added if the Board desired.

Supervisor Conover stated overall this was a huge improvement to the onsite disposal system from what exists.

Mr. MacElroy stated he looked at the files at the LGPC and it was an old precast septic system. He said it would be removed and the drywell will probably be crushed and back filled.

Councilmember Wilson stated this was considered new construction and not a repair.

- Resolution establishing Town of Bolton as Lead Agency.

RESOLUTION #153

Councilmember Wilson moved, seconded by Councilmember Coon to declare the Bolton Town Board as Lead Agency under SEQRA for the proposed variance to replace an existing seepage pit with an Elgin Absorption Trench system within 200 feet of the shoreline of Lake George for Scott Kiniry and Willow Avenue Lakeshore Property LLC (Ken Rifenburg). Tax Map # 156.12-1-19. Property location: 8 Willow Lane. **All in Favor. Motion Carried.**

- Resolution regarding SEQRA & LWRP Determinations.

Councilmember Wilson asked the Board the following questions:

Do any of the Board Members have concerns with any of the items listed in Part C., 1 through 3 of the LWRP Waterfront Assessment Form? No

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

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

- A. The Applicant's SEQRA & LWRP submissions, and our analysis of the issues presented, demonstrates that there are no significant environmental impacts or concerns and it is hereby determined that the action to be taken is consistent with the Town of Bolton Local Waterfront Revitalization Program policies and standards.
- 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.

RESOLUTION #154

Councilmember Wilson moved, seconded by Councilmember MacEwan to make a negative declaration with regard to SEQRA & LWRP for the proposed variance to replace an existing seepage pit with an Elgin Absorption Trench system within 200 feet of the shoreline of Lake George for Scott Kiniry and Willow Avenue Lakeshore Property LLC (Ken Rifenburg). Tax Map # 156.12-1-19. Property location: 8 Willow Lane. **All in Favor. Motion Carried.**

- Resolution to approve a variance to replace an existing seepage pit with an Elgin Absorption Trench system within 200 feet of the shoreline of Lake George tank for Scott Kiniry and Willow Avenue Lakeshore Property LLC (Ken Rifenburg). Tax Map # 156.12-1-19. Property location: 8 Willow Lane.

RESOLUTION #155

Councilmember Wilson moved, seconded by Councilmember Coon having declared the Bolton Town Board as Lead Agency, having held a public hearing and made a Negative Declaration for the SEQRA Application and a positive Determination of Consistency for the LWRP Application,

make a motion to approve this application for a septic variance on Parcel ID #156.12-1-19 to replace an existing seepage pit with an Elgin Absorption Trench system within 200 feet of the shoreline of Lake George as approved by Town Engineer, Tom Center with the following conditions: 1) The location of the well located on parcel #156.12-1-20 be included on the maps. 2) An additional float is added to the system to ensure the water shuts off. **All in Favor. Motion Carried.**

Supervisor Conover asked Mr. MacElroy to notify the neighbor once they have ascertained the distance from his well.

Reconvene as Bolton Town Board

RESOLUTION #156

Councilmember Coon moved, seconded by Councilmember Cleavland to reconvene as the Bolton Town Board. **All in Favor. Motion Carried.**

Public in Attendance:

Zandy Gabriels spoke on the following items:

- Dredging of English Brook and Finkle Brook.

Supervisor Conover stated that if the state was willing to give grants to undertake this project, the town would consider moving forward. He stated that Indian Brook dredging came about from monies secured by the homeowners.

- His mothers water bill and a meter that is not working. *Supervisor Conover suggested that he stop in or send a letter so they may address the issue.*

Code Enforcement:

Correspondence:

- Cornell Cooperative Extension invitation to annual golf tournament.
- Invitation to Girl Scouts of Northeastern New York special event.
- 2018 Community Impact Report from Community Loan Fund of the Capital Region.
- NYS DOH Bathing Beach Inspection Summary Report for Veterans Beach.
- Nancy Hyman regarding removal of enclosures from a neighboring property.
- Diane M. Willebrands regarding unsafe speed on Coolidge Hill Road.
- DFWI regarding water quality reports at Beaches.
- LGA 134 Annual Meeting.
- New York Property Rights 25 Anniversary Issue.
- Kathleen Suozzo PE, PLLC meeting minutes for Bolton Water Project.

Committee Reports:

Councilmember Robert MacEwan

Justice Court:

During the month of July 2019, Justice Edward G. White took in \$5,893.00 and Justice Edward Stewart took in \$6,112.00. Total monies forwarded to the Town of Bolton amounted to \$12,005.00. Itemized lists are available in the Court should anyone desire to look them over.

Transfer Station:

- Total for the month is \$12,681.00
- Spring cleanup cards \$5,876.00
- Building needs repairs.
- Holes in foundation and walls.

EMS:

Recreation Department:

- For the dates of Sunday August 25-Friday August 30, 2019, as of today, there is only enough lifeguarding staff to open one beach (Roger's Memorial Beach) on Sunday August 25, Wednesday August 28, and Friday August 30th.
- On Monday 8/26, Tuesday 8/27, and Thursday 8/29 neither beach will be open. The beaches will be open Saturday August 31, and September 1-2nd.
- Efforts are being made to find additional staffing for the above-mentioned dates. Both beaches and the Summer Day Camp passed Department of Health Inspections with no public health violations found.

Highway:

- Graded and raked dirt roads.
- Ditch work, Item #4, grade and roll Lamb Hill Road.
- Mowed roads and land fill area
- Send trucks to other towns for paving.
- Swept streets.
- Tree and brush cutting on Ridin-HY Road.

Councilmember Tim Coon

Assessor:

- The Final Assessment Roll will be turned in to the County to produce the School Tax Bills, as soon as the STAR Markers are furnished.
- Address and bank changes are continually updated. Sales Transmittal has been processed for analyzation.

- The Aged (Senior) exemption renewals will be going out in the mail soon.

Sewer:

- Total flow for the month 8,119,590 Gallons for a daily average of 262,000 gallons.
- Casella, Hometown sewer and Blue diamond hauled 221,000 gallons of sludge due to Sludge issues in Imoff tank.
- We finished televising our sewer lines with Lake George and found several issues in the system.
- Conducted 2 sets of testing on bio reactor and the results have been very well.
- On 7/20 we responded to the garden center for a possible sewage blockage in the gravity line. We jetted the line several times and the issue was a plugged lateral.
- Matt has assisted Dylan with covering the pager and weekends at the water plant.
- Maintained grounds around the plant and stations.
- Justin has attended wastewater school the last week of July and has 2 weeks left.
- We have been working with Kathy and Mark Suozzo on the upcoming grant and projects at the plant and stations.
- We have used our sewer jet to clean lines around town and washing down tanks around the plant.
- We have assisted Dylan with reading water meters around town.

Councilmember Susan Wilson

Planning / Zoning:

- The Planning Office for the month of July collected fees in the amount of \$958.00 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.

Veterans Park Phase

- On July 23rd an application was submitted for a NYSDOS CFA Funding Grant for Phase 1 of the improvements planned for Veterans Memorial Park. This first Phase is for the engineering and construction of the approximate half acre recreation complex. As he has done for the last several years, Ed Bartholomew, President of the Warren County Economic Development Corporation, arranged a meeting with Capital District Regional Commission Representatives to present the project which was attended by Tracey Clothier and Tim Larson who spoke on the Town's behalf. The ability to meet and respond to questions has proved to be successful for the Town in years past and hopefully this year will be no different.

Clerks Office:

- Prepared equipment for upcoming water billing cycle.
- We continue to work with the water department in an effort to upgrade to radio read meters.
- Spring clean-up cards are still available for pick up in the Clerk's Office, 1242 issued to date.
- Sold 96 fishing licenses.
- Issued 98 resident parking permits.
- Dog licenses and renewals.
- Issued numerous burn permits.
- Notarized numerous documents.
- Prepared and entered invoices for payment.
- Balanced monthly abstracts.
- Ordered supplies for various departments.
- Sold \$6019 in landfill tickets at the counter.
- Reservation at the community center.
- Updated tax changes from the Assessor's office.
- Marriage licenses.
- Numerous park facility use permits.
- Issued numerous disability parking plaques.
- Issued tickets to park attendants and process the payments.
- Park revenue for the month of July \$19,515.00.

Councilmember Wanda Cleavland

Police:

- 44 patrol shifts, 467 reportable activities and 338 property checks.

Library:

- Please join author and historian Marty Podskoch for a talk on his travel book *The Adirondack 102 Club* that encourages people to visit all 102 towns and villages in the Adirondacks.
- Trivia will be August 19th at 6pm at a cost of \$3.00 per person.

Supervisor's Report:

- Deposits: \$308,299.06
- Disbursements: \$547,384.30
- Sales Tax: +2.1% Year over Year
- NYS Dept. of Health: No safety violations at Beaches
- Water Quality Tests: Very good
- Paving on Lamb Hill Road Grist Mill Road and East Schroon River Road.
- Bids for Lake View Terrace

- Blocked sewer line on Sagamore Road on August 1, early evening: NYS Alert notified, blockage eliminated by Sagamore and Town crews.
- In process of receiving quotes for temporary water line to take us through the winter. Permanent line will be coordinated with the County when they replace the Bridge probably in the Fall of 2020.
- A number of water leaks have been repaired over the past few months, along with the elimination of the blow off valve and bleeder at the Potter Hill Road PRV station.
- Parks very busy we are receiving a lot of good reports on the condition of the Parks and the Town in general and our helpful and friendly employees.

New Business

- Resolution to accept a donation of a model fire boat display from The Roessler Family.

Supervisor Conover thanked the Roessler family for thinking of the town with the gift of this impressive display.

RESOLUTION #157

Councilmember Coon moved, seconded by Councilmember Wilson to accept a donation of a model fire boat display from The Roessler Family. **All in Favor. Motion Carried.**

- Resolution to authorize the Supervisor to enter into an agreement with Warren County DPW for the paving of East Schroom River Road.

Supervisor Conover stated the road needed to be upgraded before winter.

RESOLUTION #158

Councilmember Cleavland moved, seconded by Councilmember MacEwan to authorize the Supervisor to enter into an agreement with Warren County DPW for the paving of East Schroom River Road. **All in Favor. Motion Carried.**

- Resolution to request Warren County DPW to do a survey of Coolidge Hill Road for a speed limit analysis.

RESOLUTION #159

Councilmember Coon moved, seconded by Councilmember Wilson to request Warren County DPW to do a survey of Coolidge Hill Road for a speed limit analysis. **All in Favor. Motion Carried.**

- Resolution to authorize the award of bid for the Lake View Terrace Paving Project to Peter Luizzi Bros. Contracting, Inc. in an amount not to exceed \$168,670.00.

Supervisor Conover stated that this was below the project estimate which is good news.

RESOLUTION #160

Councilmember MacEwan moved, seconded by Councilmember Cleavland to authorize the award of bid for the Lake View Terrace Paving Project to Peter Luizzi Bros. Contracting, Inc. in an amount not to exceed \$168,670.00. **All in Favor. Motion Carried.**

- Resolution authorizing the Supervisor to enter into a professional services agreement with StoredTech in an amount not to exceed \$6,500.00.

RESOLUTION #161

Councilmember Wilson moved, seconded by Councilmember Coon to authorize the Supervisor to enter into a professional services agreement with StoredTech in an amount not to exceed \$6,500.00. **All in Favor. Motion Carried.**

- Resolution to authorize the use of Veterans Park as a departure point by the Rensselaer Intercollegiate Outing Club including overnight parking on September 20-22, 2019.

Supervisor Conover stated that this was a request that they made every year.

RESOLUTION #162

Councilmember Wilson moved, seconded by Councilmember Coon to authorize the use of Veterans Park as a departure point by the Rensselaer Intercollegiate Outing Club including overnight parking on September 20-22, 2019. **All in Favor. Motion Carried.**

Public in Attendance:

Mary Beth Passano asked how to understand the resolutions and what they pertain to on the agendas better. Supervisor Conover stated she was welcome to ask any questions about the upcoming resolutions during the first public hearing. She was also welcome to come into the town hall to ask any questions she would like about the resolutions. She inquired about the speed limit request on Coolidge Hill Road and what prompted the request.

Zandy Gabriels noted that there was not a report for the Water Department for the past couple of months in the committee reports. He wanted to know why they are removing the PRV Station. Supervisor Conover stated it was the hydrant above the PRV Station.

RESOLUTION #163

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

TRANSFERS FOR AUGUST 2019

To	From	Amount
<u>GENERAL:</u>		
1650.4 Central Comm CE	1620.2 Build/Grounds EQ	\$1,204.00
7110.2 Parks EQ	1620.2 Build/Grounds EQ	\$1,498.00
8030.4 Research CE	1990.4 Contingency	\$5,925.00
<u>HIGHWAY:</u>		
5130.4 Machinery CE	5130.2 Machinery EQ	\$6,162.00
<u>WATER:</u>		
1440.4 Professional Svcs CE	1990.4 Contingency	\$800.00
8340.4 Trans/Distribution CE	8340.2 Trans/Distribution EQ	\$6,000.00

ADDITIONAL TRANSFERS:

\$40,000.00 to be transferred to Sewer District from General Fund. The transfer will be set up as a Due To / Due From in anticipation of upcoming Quarterly Billing.

RESOLUTION #164

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

Pay the Bills:

Voucher		Amount
Abstract 7A		
General	1109-1150	8,205.14
Sewer	246-255	3,669.71
Water	207-211	1,778.09
St Lights	24-26	2,071.05
Abstract 8		
General	1011-1108 1151-1187	\$92,047.47
Highway	309-351	63,999.37
Sewer	219-245 256-265	53,118.10
Water	194-206 212-220	15,900.44
Sewer Improve	22-25	14,920.00
St Lights	27	380.12
Water Improve	2	640.00
Vet's Park	5	15,000.00
Roger's Park Phase 4	2-3	629.00
Roger's Park Phase 5	1	8,558.62

Executive Session:

RESOLUTION #165

Councilmember MacEwan moved, seconded by Councilmember Cleavland to enter into executive session to discuss the employment history of a particular town employee. **All in Favor. Motion Carried.**

No Action Taken: 6:56pm

Minutes respectfully submitted by:

Jodi Connally
Town Clerk

Katie Persons
Minute Taker