

REGULAR MEETING
BOLTON TOWN BOARD

September 3, 2019

Regular Meeting:

Supervisor: Ronald Conover
Councilman: Robert MacEwan (Absent)
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: Isabel McConnell & Vondee Beeman.

Minutes:

- Approve the August 6, 2019 Regular Town Board Meeting Minutes.

RESOLUTION #166

Councilmember Cleavland moved, seconded by Councilmember Coon to approve the Minutes of the regular Town Board Meeting held August 6, 2019. **All in Favor. Motion Carried.**

Public Hearings:

Convene as the Town of Bolton Board of Health

RESOLUTION #167

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

Septic Variance:

Melissa Vito - Parcel ID# 200.18-1-40 - Property Location: 4152 Lake Shore Drive. The following variance is sought to replace a fill septic system. 100' is required between the leachfield and well. 80' is proposed.

Martin Dobert of 15 Island View Loop stated his big concern with this proposal was the adjoining properties wells. It is not shown in the engineered drawings and it is difficult to see if they meet the required setbacks.

Melissa Vito stated that the engineers had asked about all the wells around her plot and it was easy to determine that everyone was quite a bit further than a 100' from the site. Her well was the only one that was 80' from the site.

Supervisor Conover asked about the seepage pit and when it was installed. Ms. Vito replied that it was installed in 1992 as a backup system in case the leach field failed. Once the new system is installed it will not be used. Councilmember Wilson said that the plans indicate that it will remain. Ms. Vito stated that it would not be removed because it was a good backup system, but they will be turned into the leach field. Supervisor Conover stated that the application for the existing system did not show the seepage pit. Ms. Vito stated it appears on the original design.

Councilmember Wilson stated that the wells on the adjoining properties are not indicated on the plans. She shares Mr. Dobert's concerns with the exact location of the wells and she thinks that the exact locations are needed before the Board can move forward to verify that the neighboring wells will not be impacted.

Supervisor Conover recommended a meeting with the engineer of the plans and Ms. Vito to address some of the concerns before they come back to the Board. Supervisor Conover asked if this was a failed system. Ms. Vito replied that it was. Supervisor Conover stated this was a real concern. Ms. Vito stated the dry well was working well as a backup. Supervisor Conover said that he does not believe that a seepage pit passes muster on any state standard for leaching. Ms. Vito stated that was why she wants a new system.

RESOLUTION #168

Councilmember Wilson moved, seconded by Councilmember Coon to table the proposed variance to replace a fill septic system. 100' is required between the leach field and well. 80' is proposed for Melissa Vito. Tax Map #200.18-1-40 - Property Location: 4152 Lake Shore Drive for the location of neighboring wells to be put on the maps. **All in Favor. Motion Carried.**

Septic Variance:

Bayview Marina, Gary LaVoy - Parcel ID# 186.06-1-1.1 - Property Location: 4762 Lake Shore Drive. The following variance is sought. **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.**

Councilmember Wilson asked if these were the same plans, he had submitted to the Planning staff a few months ago. Mr. LaVoy stated essentially yes. He explained that the LGPC has recently promulgated standard requirements for the amount of design average flow that you must

maintain in a septic system for each boat you have on your property. In his case it is 33 and 90% of it happens in July and August. In order to meet their requirements, he thought a holding tank would be the best way to stop all of the stuff from getting into his other system which is pumped across the street under Route 9. This seems to be the most effective way to minimize what goes into his septic system. This ends up with a design of 4 days+ of holding.

Supervisor Conover asked if this would be apart from his existing system. Mr. LaVoy stated this was correct.

Councilmember Wilson inquired about an automatic shutoff. Mr. LaVoy stated that it was included in the plans.

- Resolution establishing Town of Bolton as Lead Agency.

RESOLUTION #169

Councilmember Wilson moved, seconded by Councilmember Coon to declare the Bolton Town Board as Lead Agency under SEQRA for the proposed variance for a holding tank for Gary LaVoy. Tax Map 186.06-1-1.1 - Property Location: 4762 Lake Shore Drive. **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 #170

Councilmember Wilson moved, seconded by Councilmember Coon to make a negative declaration with regard to SEQRA & LWRP for the proposed variance for a holding tank for Gary LaVoy. Tax Map 186.06-1-1.1 - Property Location: 4762 Lake Shore Drive. **All in Favor. Motion Carried.**

- Resolution to approve a variance for a holding tank for Gary LaVoy. Tax Map #186.06-1-1.1 - Property Location: 4762 Lake Shore Drive.

RESOLUTION #171

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 #186.06-1-1.1 located at 4762 Lakeshore Drive for a holding tank as approved by Town Engineer, Tom Nace. **All in Favor. Motion Carried.**

Convene as Bolton Water Board

RESOLUTION #172

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

- Resolution authorizing Supervisor to enter into contract with Drilling Technologies, Inc. to make water main repairs at a cost of \$25,902.

Kathy Suozzo explained that they had gone out for quotes for the permanent/temporary repair of the water line under Finkle Brook. Warren County will be eventually replacing the culvert which will impact the water line, so this is to get us through the next year or two. She detailed the 3 options that they had looked at and stated that the most cost effective option was the directional drilling and they only had one bidder which was Drilling Technologies, Inc. They are planning the work later in September. They may need to close the road for a day. They have been in discussion with DOH on the plan. Supervisor Conover asked what they judged the impact to the

south would be. Ms. Suozzo replied that there should be no impact to the water district. She said it will provide more water. She said that there may be a boil water in effect at some point for some of the residents. She stated that it should not impact the entire water district.

RESOLUTION #173

Councilmember Cleavland moved, seconded by Councilmember Coon to authorize the Supervisor to enter into contract with Drilling Technologies, Inc. to make water main repairs at a cost of \$25,902. **All in Favor. Motion Carried.**

Reconvene as Bolton Town Board

RESOLUTION #174

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

Public in Attendance:

Bob Weisenfeld inquired about asking Stewarts about having a backup power system to run the store and gas pumps during a power failure. Supervisor Conover stated he would make a call.

Sally Defty stated that a dog park would be so nice for the community in town. She proposed the gulch just west of the new parking lot instead of the at the Community Center.

Zandy Gabriels spoke on the following:

- The docks and railings.
- Ladders for the docks to get out of the water.
- The water line replacement line size.
- The dredging of Finkle Brook delta funding.

Megan Baker from the Bolton Free Library gave the following report:

- Summer hours are over at the library.
- They have a new trustee, Rebecca Cooper.
- They no longer charge fines at the library.
- Trivia will continue into September and October.
- In October, they will be having a community minded social media program and a program by an author who wrote a book on having a brain tumor.
- Deanne Rehm will be doing a voter registration with The League of Women Voters on September 24th.

Code Enforcement:

Correspondence:

- Randy Rath, LGA regarding cleaning out of sediment basins.

- Bolton Chamber Annual Auction.
- National Grid regarding 969 E. Schroon River Road.
- NYMER response to request for coverage.
- NYS DEC regarding Edgecomb Pond Dam.
- NYS Dept of Taxation certificate of final telecommunications ceiling.
- Bolton Free Library thank you to the Buildings and Grounds Department for their help with the annual book sale.
- Randy Rath regarding annual Lake George Triathlon Festival.
- Save the Date for anniversary celebration honoring Shirley Ann Jackson Ph.D.
- DFWI reports.
- Adirondack Champlain Regional Salt Summit.
- Santore's World Famous Fireworks notification of Labor Day Fireworks celebration on September 1, 2019.
- Notification of Liquor License application from Rhegan Associates LLC for Pumpnickels located at 4571 Lake Shore Drive and for The Barrel located at 4571A Lake Shore Drive.

Committee Reports:

Councilmember Tim Coon

Assessor:

- The Schools have sent out their tax bills, and our phones will be ringing with questions, especially regarding the recent STAR article in the Post Star.
- Address and bank changes are continually updated.
- 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 and the office will be busy until March with the renewals.

Water:

- Total flow to distribution for the month of August 2019 is 14,701,023 gallons.
- Monthly total coli-form tests were taken according to the sampling schedule.
- Quarterly disinfection by product testing was taken according to sampling schedule.
- Conducted all general maintenance at the water plant, P.R.V. stations, and hydrants.
- Responded to several UFPO's.
- Installed several new Neptune radio read heads to customers who require upgrades.
- Monthly copper sulfate dosage was applied to pond
- Multiple meetings with the Suozzo's to make sure everything on current grant project is correct. We are progressing forward and are excited for rehab.

Sewer:

- Total flow for the month 7,689,635 gallons for a daily average of 257,000 gallons.
- Casella hauled 88,000 gallons of sludge.
- Responded to a sewer manhole overflowing on Green Island near the bridge. We assisted with the saga more personal on jetting the line and unblocking the line. We filed a NY Alert for the overflow.
- We have been assisting Dylan at the water plant.
- We assisted the parks on First Street with the water shutoff from previous house. We capped the sewer line that was broke going into the gravity line.
- We finished up smoke testing around First Street and around school, no issues were found.
- We had to shut down the bio reactor for a week due to plugging. The issue was within the first 5 FT. It was plugged with solids and biology. It is working great now and doing most of the flow. Thanks to Barry Kincaid, Highway crew and Kathy Suozzo for assisting.
- HMA finished cleaning up around the yard and a few things on road.
- Highway came down and mowed around beds and plant.
- We have had several alarms due to pump issues.
- Justin is finished with school; we are waiting to get the approval letter so he can take his ABC test to become an operator.

Councilmember Susan Wilson

Planning / Zoning:

- The Planning Office for the month of August collected fees in the amount of \$958.00 for various items including Certificates of Compliance, Septic Permits, Variances, Site Plan Reviews, Stormwater Permits and Copies and Searches.
- Pam, Mitzi, Mike and I continued 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.
- Pam Kenyon, Town Zoning Administrator, retired last Friday after working for over 30 years with the Town. We wish Pam all the best in retirement as she travels and spends more time with family and friends. Pam - Enjoy yourself, retirement is actually the beginning, you will be missed. Pam completed her monthly report with the words "It has been a pleasure working with all of you."

Clerks Office:

- Completed quarterly water billing cycle for period ending July 25, 2019.
- 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, 1310 issued to date.

- Sold 79 hunting / fishing licenses.
- Issued 44 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.
- Reservation at the community center.
- Updated tax changes from the Assessor's office.
- Marriage licenses.
- Death Certificates – State has now gone to filing deaths electronically,
- Both Jodi and Becky have been trained in the new procedures.
- 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 August - \$18095.00.
- Total amount received from the sale of parking tickets at both Veterans and Rogers Parks was \$45,090.00.
- Finally, I would like to welcome Kelli Street as a member of the Clerk's team.

Bolton Septic Inspection Program (B-SIP):

- The “Bolton Septic Inspection Program” booklet is on the Town website, www.boltonnewyork.com in three separate locations. It is listed under Public Notices, in the right hand column of the Town Ordinances page, and under the Planning tab. The booklet contains all the information needed for compliance. It includes the law, all required forms, Certified Haulers list, and Certified Inspectors list for those who requested to be on our list. A hard copy of the booklet is also available from the Bolton Planning Office for a \$10 fee.
- I have reached out to Southern Adirondack Realtors, Inc. which includes all of Warren and Saratoga Counties, southern Essex County and northern Washington County and provided them with this information.
- I have also provided a copy of the booklet to Conor Gillis who is the Government Affairs Field Representative for the New York State Association of REALTORS on Washington Avenue in Albany. Conor contacted me after hearing about the program and offered to help communicate the information.

Councilmember Wanda Cleavland

Police:

- 46 patrol shifts, 513 reportable activities and 398 property checks.

Supervisor's Report:

- Deposits: \$ 1,411,622.22
- Disbursements: \$ 1,222,556.32
- Sales Tax: Year to date +1.6%.
- Grist Mill Road repaving complete
- Lamb Hill Road.
- East Schroon River Road improvement underway.
- Bio reactor cleaned, modification design in process results continue to be very good.
- Temporary repair of water main will take place in September, resolution to follow.
- Water quality tests of our swim areas continue to be very good.
- Design alternative for our finger docks at Rogers Park complete, authorization to follow.
- There was a back to school issue with life guards, which caused the beaches to close.

New Business

- Resolution authorizing an agreement in the amount of \$300 with the Adirondack Park Local Government Review Board for September 2019 through September 2020.

RESOLUTION #175

Councilmember Coon moved, seconded by Councilmember Wilson to authorize an agreement in the amount of \$300 with the Adirondack Park Local Government Review Board for September 2019 through September 2020. **All in Favor. Motion Carried.**

- Resolution to authorize the Supervisor to enter into an agreement with the Dock Doctors LLC., to modify the existing dock posts in an amount not to exceed \$14,800.00.

RESOLUTION #176

Councilmember Cleavland moved, seconded by Councilmember MacEwan to authorize the Supervisor to enter into an agreement with the Dock Doctors LLC., to modify the existing dock posts in an amount not to exceed \$14,800.00. **All in Favor. Motion Carried.**

- Resolution authorizing the waiver of the 30-Day advanced notice for Liquor license applications from Rhegan Associates, LLC. for "Pumpnickels" located at 4571 Lake Shore and for "The Barrel" located at 4571A Lake Shore Drive.

RESOLUTION #177

Councilmember Coon moved, seconded by Councilmember Wilson to authorize the waiver of the 30-Day advanced notice for Liquor license applications from Rhegan Associates, LLC. for "Pumpnickels" located at 4571 Lake Shore and for "The Barrel" located at 4571A Lake Shore Drive. **All in Favor. Motion Carried.**

- Resolution authorizing the Supervisor to enter into service agreement with the Warren County Soil and Water Conservation District and LGA for clean out of the sediment basins for a voluntary contribution cost not to exceed \$3,000.

RESOLUTION #178

Councilmember MacEwan moved, seconded by Councilmember Cleavland to authorize the Supervisor to enter into service agreement with the Warren County Soil and Water Conservation District and LGA for clean out of the sediment basins for a voluntary contribution cost not to exceed \$3,000. **All in Favor. Motion Carried.**

Public in Attendance:

Zandy Gabriels spoke on the following:

- He encouraged the Board to go to DOH and tell them they need to find lifeguards for the state.
- The reclassifying of the Bixby and Huddle areas as access points.
- Water testing for lead and copper and the sampling points.

Bob Weisenfeld inquired if Mitzi Stogdill was running the office now that Pam Kenyon had retired and if not, who was. Supervisor Conover explained it was a personnel matter and not resolved yet.

RESOLUTION #179

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

TRANSFERS FOR SEPTEMBER 2019

To	From	Amount
<u>GENERAL:</u>		
1650.4 Central Comm CE	1670.4 Central Print CE	\$1,159.00
<u>HIGHWAY:</u>		
5130.4 Machinery CE	5130.2 Machinery EQ	\$15,899.00
<u>WATER:</u>		
1440.4 Professional Svcs CE	8310.1 Administration PS	\$2,250.00

RESOLUTION #180

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

Pay the Bills:

Voucher		Amount
Abstract 8A		
General	1274-1311	8,009.73
Sewer	286-295	3,657.42
Water	237-240	1,749.56
St Lights	28-30	2,538.64
Abstract 9		
General	1188-1273 1312-1327	\$69,779.51
Highway	352-386	209,384.87
Sewer	266-285 296-303	23,681.21
Water	221-236 241-249	9,677.37
Sewer Improve	26-29	7,180.00
St Lights	31	409.77
Water Improve	3-4	665.50
Tourism		
	37-43	21,812.74

Adjourn:

RESOLUTION #181

Councilmember Cleavland moved, seconded by Councilmember Wilson to Adjourn. **All in Favor. Motion Carried.**

No Action Taken: 7:01pm

Minutes respectfully submitted by:

Jodi Connally
Town Clerk

Katie Persons
Minute Taker