

REGULAR MEETING
BOLTON TOWN BOARD

January 7, 2020

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: 6:15 PM.

Minutes:

- Approve the December 3, 2019 regular Town Board Meeting Minutes.

RESOLUTION #27

Councilmember Coon moved, seconded by Councilmember Wilson to approve the minutes of the regular Town Board Meeting held December 3, 2019. **All in Favor. Motion Carried.**

- Approve the Minutes of the Year End Meeting held December 27, 2019.

RESOLUTION #28

Councilmember Cleavland moved, seconded by Councilmember MacEwan to approve the minutes of the Year End Meeting held December 27, 2019. **All in Favor. Motion Carried.**

Public in Attendance:

Brendan Murnane stated that they were looking to host a “Beer Festival” in Rogers Park for local vendors to highlight everything Bolton does. Supervisor Conover asked if there would be music at the event. Mr. Murnane replied yes, and that a local radio station would possibly be broadcasting from the event too. Councilmember Wilson asked what the time frame would be for the event. Mr. Murnane replied from 12PM to 10PM on Saturday, June 13th.

Matt Schuette of Jaeger & Flynn gave an overview of the employee insurance plans for 2020 and handed out informational brochures to the Board. Councilmember Wilson inquired about telemedicine and Mr. Schuette explained that it was an option for members to talk with a doctor on your phone for low level care.

Carla Cumming, President of the Bolton Library Board of Trustees thanked the Town and its employees for all of their assistance and support they provide to the library.

- Tomorrow is the annual Board of Trustees election and they have 5 openings.
- Wednesday, January 15th the library will be hosting a community health series and they will be doing them over the next few months.
- Library Book Club meeting will be meeting tonight and on January 21st.
- Valentine's Day readings and if anyone has any interest in reading, please contact Megan Baker at the library.
- They are having a "Thank You Party" from 6PM to 8PM on January 16th to show their appreciation to the community for helping them out.

Correspondence:

- The Conkling Center Ageless Opportunities.
- Friends of Up Yonda Farm letter of appreciation of support.
- Warrensburg Central School regarding Rural Issues Forum.
- NYS Agriculture & Markets Municipal Shelter Inspection Report.
- NYS DEC Annual Reporting for facilities.
- NYS DOS regarding denial of CFA #90679.
- NYS DOT notice of project in design.
- North Country ARTS annual appeal.
- Julie Butler, Warren County Purchasing Agent, regarding pricing for recycling.

Committee Reports:

Councilmember Rob MacEwan

Justice Court:

During the month of December 2019, Justice Edward G. White took in \$1,668.00 and Justice Edward Stewart took in \$2,242.00. Total monies forwarded to the Town of Bolton amounted to \$3,910.00. Itemized lists are available in the Court should anyone desire to look them over.

Transfer Station:

- Total for the month is \$6,311.00
- Spring cleanup cards \$3,672.00
- Building needs repairs.
- Fence and gate issues need to be addressed. *Councilmember MacEwan stated he would look into it and keep the Board posted.*

Highway:

- Plowed, sanded & salt several snow and ice storms.
- Haul sand for dirt roads.
- Started using brine on roads.
- Cleaned streets.
- Sanded several senior citizens.
- Picked up brush and trees from ice storms.

Councilmember Tim Coon

Assessor:

- Sales continue to be received by this office on a daily basis and the file is kept up to date with the new sales and address changes.
- Renewal forms for our Senior Exemption taxpayers have been received except for one.
- The upcoming months will be busy with finalizing the valuation project for the 2020 assessment roll.

Water:

- Total flow to distribution for the month of December 2019 is 10,920,302 gallons.
- Monthly total coli-form tests were taken according to the 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.
- On 12/20/19 we located a leak in front of 36 Brook St. The leak was located on the copper line tapped off the main. The copper was replaced and dig site was patched. We also located a broken storm water line which was also fixed and routed into a nearby catch basin.

Sewer:

- Total flow for the month 4,767,580 gallons for a monthly average of 159,000 gallons.
- Casella hauled 8,000 gallons of sludge.
- We removed the old storage building that was falling down. We borrowed highways excavator and got bins from waste management for all the debris.
- We had our yearly flow calibrations completed for DEC.
- We sampled the bio reactor twice this month. It continues to remove nitrates and is keeping us in compliance with our monitoring wells.
- On 12/16 the main station pipe coming in was completely plugged. Mark and Alex from parks assisted with the sewer jet to remove the rags and grease.
- Plowed and cleaned up snow around the plant and stations.
- We assisted the water dept. with the break on Brook Street.
- On 12/20 we received an alarm at the main pump station for high wet well. There was a power issue at the main station, and it lasted several days. Matt was called in multiple times from Friday through the weekend. The control guy replaced floats and the level reader to make sure that wasn't the issue. It is working properly now.
- We had to have a piston replaced on our sludge pump air compressor. The compressor wasn't building air and we were unable to pump sludge for a few days.

Councilmember Susan Wilson

Planning / Zoning:

- Mike, Rich, 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.
- The Planning Office for the month of December collected fees in the amount of \$610.00 for various items including Certificates of Compliance, Septic Permits, Variances, Site Plan Reviews, Stormwater Permits, After the Fact Fees and Engineering Fees.

Clerk's Office:

- Preparation for 2020 tax season. Numerous phone inquiries and continuously updating changes from the Assessor's office. Taxes are now available to be paid on-line at either the Town of Bolton's website www.boltonnewyork.com or Bas.gov-online tax portal.
- Becky and Jodi attended annual tax training in Clifton Park.
- Satisfied several FOIL requests.
- Resident clean-up cards are still available for pick up in the Clerk's Office, 1407 issued to date.
- hunting / fishing licenses.
- Sold \$1781.00 in landfill tickets at the counter.
- Numerous legal advertisements with the Post Star.
- Issued 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.
- Marriage licenses.
- Death Certificates.
- Issued numerous disability parking plaques.

Councilmember Wanda Cleavland

Police:

- 39 patrol shifts, 411 reportable activities and 391 property checks.

Supervisor's Report:

- Deposits: \$489,504.88
- Disbursements: \$587,456.54
- Warren County Sales tax receipts for November -2.3%; Year through November +2.3%
- Brook Street repair completed (repair at main).
- Big shout out to our Highway and Parks Departments for response during recent ice storm.

- Both Highway and Parks are setup and using brining equipment in their winter response (feedback thus far has been excellent); Parks Department has also installed applicator for sidewalks. *Kudos to George and his crew.*
- Live edge plows big success, looking to purchase additional unit which would bring us to four live edge plows. *The town is looking to purchase another one of these plows to bring our total up to 4 live edge plows. Councilmember Coon stated that the decrease in the amount of salt used by the trucks using these plows was impressive.*
- Halloween storm damage declared federal event by President making repairs eligible for Federal assistance. *Town will be reimbursed for 75% of all eligible costs.*
- Big thank you to Town Justice Ed White and Town Clerk Jodi Connally for arranging the swearing in ceremony New Year's Morning.
- Wood chip bioreactor continues to operate within design parameters, application for 2nd reactor will be submitted to DEC sometime in February.

New Business:

- Resolution to adopt the 2020 Occupancy Tax Expenditure Plan.

Willie Bea McDonald stated they had \$60,000 in requests over the allotted funds that they had to spend. None of the applicants received the amount that they had requested because they did not have the money. She stated that she believes that next years allotted funds will be less than this year. Supervisor Conover thanked her for all of her efforts in this endeavor.

RESOLUTION #29

Councilmember Coon moved, seconded by Councilmember Wilson to adopt the 2020 Occupancy Tax Expenditure Plan. **All in Favor. Motion Carried.**

- Resolution designating Bolton Town Board as lead agency under SEQRA & LWRP for the proposed amendment to Ordinance #28.

Councilmember Wilson stated that this will address the imposition of fees for speeding on Lake George.

RESOLUTION #30

Councilmember MacEwan moved, seconded by Councilmember Coon to declare the Bolton Town Board as Lead Agency under SEQRA & LWRP for the proposed amendment to Ordinance #28. **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
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 & 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 #31

Councilmember Wilson moved, seconded by Councilmember Cleavland to make a negative declaration with regard to SEQRA & LWRP for the proposed amendment to Ordinance #28. **All in Favor. Motion Carried.**

- Resolution to amend the Town of Bolton Ordinance #28 to include the following:
A NEW SECTION TITLED FINES which shall read:

"Where a court of competent jurisdiction, after due process, shall make a finding that an operator of a motor vessel shall have been found to have operated a motorboat in violation of any speed limitation herein specified, the civil penalty that may be imposed shall be (1) upon any first violation for speeding, a sum not to exceed \$100; (2) upon any second violation for speeding, within a year of a first violation a sum not to exceed \$200; and (3) upon any third or subsequent violation for speeding, within a year of a prior violation, a sum not to exceed \$300.

Ordinance #28 shall also provide that the Town Board may from time to time restate, amend or otherwise provide for different or additional civil penalties by subsequent resolution of the Town Board.”.

RESOLUTION #32

Councilmember Cleavland 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 motion to amend the Town of Bolton Ordinance #28 to include the following:

A NEW SECTION TITLED FINES which shall read:

“Where a court of competent jurisdiction, after due process, shall make a finding that an operator of a motor vessel shall have been found to have operated a motorboat in violation of any speed limitation herein specified, the civil penalty that may be imposed shall be (1) upon any first violation for speeding, a sum not to exceed \$100; (2) upon any second violation for speeding, within a year of a first violation a sum not to exceed \$200; and (3) upon any third or subsequent violation for speeding, within a year of a prior violation, a sum not to exceed \$300.

Ordinance #28 shall also provide that the Town Board may from time to time restate, amend or otherwise provide for different or additional civil penalties by subsequent resolution of the Town Board.” **All in Favor. Motion Carried.**

- Resolution to appoint Phil Farbaniec to a 3-year term on the BLDC Board of Directors with term to expire 12/31/2022.

RESOLUTION #33

Councilmember MacEwan moved, seconded by Councilmember Coon to appoint Phil Farbaniec to a 3-year term on the BLDC Board of Directors with term to expire 12/31/2022. **All in Favor. Motion Carried.**

- Resolution to appoint Linda Perry to a 3-year term on the BLDC Board of Directors with term to expire 12/31/2022.

RESOLUTION #34

Councilmember Cleavland moved, seconded by Councilmember Coon to appoint Linda Perry to

a 3-year term on the BLDC Board of Directors with term to expire 12/31/2022. **All in Favor. Motion Carried.**

- Resolution to authorize the use of Rogers Park on Saturday June 13th for a Bolton Lake Life Beer and Music festival contingent on appropriate insurance provided naming the Town of Bolton as additional insured in such amount and form as approved by the Town Attorney.

RESOLUTION #35

Councilmember Coon moved, seconded by Councilmember MacEwan to authorize the use of Rogers Park on Saturday June 13th for a Bolton Lake Life Beer and Music festival contingent on proper permits and appropriate insurance provided naming the Town of Bolton as additional insured in such amount and form as approved by the Town Attorney. **All in Favor. Motion Carried.**

- Resolution to appoint Jeff Anthony to a 7-year term on the Bolton Zoning Board of Appeals with term to expire 12/31/2026.

RESOLUTION #36

Councilmember MacEwan moved, seconded by Councilmember Wilson to appoint Jeff Anthony to a 7-year term on the Bolton Zoning Board of Appeals with term to expire 12/31/2026. **All in Favor. Motion Carried.**

- Resolution to appoint Herb Koster to a 7-year term on the Bolton Planning Board with term to expire 12/31/2026.

RESOLUTION #37

Councilmember Cleavland moved, seconded by Councilmember Wilson to appoint Herb Koster to a 7-year term on the Bolton Planning Board with term to expire 12/31/2026. **All in Favor. Motion Carried.**

- Resolution to oppose the granting of the variance sought by Bolton Landing Marina from the Lake George Park Commission, that the Town attorney is hereby directed to represent the Town of Bolton in a vigorous opposition to the proposed action and to act as litigation counsel, if so required.

RESOLUTION #38

Councilmember Wilson moved, seconded by Councilmember Cleavland to oppose variance sought by Bolton Landing Marina from the Lake George Park Commission as follows:

IT IS HEREBY RESOLVED that upon consideration of an application of Bolton Landing Marina currently presented to the Lake George Park Commission seeking permission to reconfigure, expand and obtain a dock setback variance for a gasoline sales and servicing dock which, if approved, shall further encroach upon the Town of Bolton's riparian waters and shoreline ownership at Rogers Park, and it being further determined by this Town Board that such an dock encroachment, if permitted by Lake George Park Commission variance, would detrimentally impair and unnecessarily impose a limitation on public shoreline access from the Rogers Park shoreline, and whereby the Town Board acts as trustee of its public parks, chargeable with a statutory and constitutional duty to protect its public parks including all attendant recreational amenities in such parks, it is hereby determined that the action proposed by Bolton Landing Marina is not in the public interest, that such action does not serve the interests of the public nor does such proposed action fulfill the requirements of this municipality's duties to uphold the purposes and policies of its Local Waterfront Revitalization Program and therefore the Town of Bolton shall by these presents go on record as being opposed to the granting of the variance sought by Bolton Landing Marina from the Lake George Park Commission, that the Town attorney is hereby directed to represent the Town of Bolton in a vigorous opposition to the proposed action and to act as litigation counsel, if so required, consistent with the Town's opposition at all meetings before the Lake George Park Commission and, if so required, in every court of competent jurisdiction to protect the rights of the Town of Bolton and the rights of the general public to lake access and recreational privileges afforded in Rogers Park and to the fullest extent. **All in Favor. Motion Carried.**

Public in Attendance:

Zandy Gabriels questioned when the Public Hearing for the amendment to Ordinance #28 was held. He asked about comparable time periods for Zoning and Planning Board. Councilmember Wilson stated they had made an institutional change. Supervisor Conover said they would look at the record and respond back to him.

Doug Wholley asked why the term was 7 years for Zoning Board. Supervisor Conover said they would get back to him on this question after they researched it.

RESOLUTION #39

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

TRANSFERS FOR DECEMBER 2019 – YEAR END at January 2020 MEETING

To	From	Amount
<u>GENERAL:</u>		
1620.4 Buildings/Grounds CE	1620.2 Buildings/Grounds EQ	\$2,709.00
1670.4 Central Print/Mail CE	1910.4 Unallocated Insurance	\$181.00
3120.4 Police/Constable CE	3120.1 Police/Constable PS	\$20.00

5132.4 Garage CE	7110.1 Parks PS	\$1,268.00
5182.4 Street Lighting CE	5650.4 Off St Parking CE	\$2,004.00
7450.4 Museum CE	7150.4 Special Facilities Cons CE	\$496.00
8010.4 Zoning/Planning CE	8664.4 Codes Enforcement CE	\$532.00
8160.4 Refuse/Garbage CE	7140.4 Playgrounds/Rec CE	\$4,729.00

HIGHWAY:

5110.4 General Repairs CE	Fund Balance	\$2,414.00
5130.2 Machinery EQ	Fund Balance	\$16,455.00
5130.4 Machinery CE	Fund Balance	\$1,871.00
5142.4 Snow Removal CE	Fund Balance	\$36,311.00

WATER:

8310.4 Administration CE	9030.8 Social Security	\$1,622.00
8310.4 Administration CE	9060.8 Medical Ins Town Share	\$1,067.00
8330.4 Purification CE	8340.2 Transm/Distr EQ	\$344.00
8340.4 Trans / Dist CE	Fund Balance	\$18,473.00

SEWER:

8110.4 Administration CE	Fund Balance	\$4,363.00
8120.4 Sanitary Sewers CE	Fund Balance	\$4,305.00
8130.4 Treat/Disposal CE	Fund Balance	\$2,446.00

RESOLUTION #40

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

Pay the Bills:

	Vouchers	Amount
Abstract 12C		
General	1930-1964	15,983.23
Highway	533-550	57,049.91
Sewer	436-450	11,113.93
Water	361-376	21,505.44
St Lights	46-47	3,179.73
Water Improve	8	10,870.00
Sewer Improve	42	895.00
Rogers Park Phase 4	6	517.49
Rogers Park Phase 5	5	3,248.46

Abstract 1

General	1-8	111,241.79
Highway	1	6,495.00
Sewer	1-2	1,224.32
Water	1-2	6,305.00

Motion to Adjourn

RESOLUTION #41

Councilmember Cleavland moved, seconded by Councilmember Coon adjourn. **All in Favor.**

Motion Carried.

Adjourn: 7:06pm

Minutes respectfully submitted by:

Jodi Connally
Town Clerk

Katie Persons
Minute Taker