

SPECIAL MEETING
BOLTON TOWN
BOARD

March 17, 2020

Regular Meeting:

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

Meeting Call to Order: 10:00

**Convene as the Town of Bolton Board of
Health**

RESOLUTION #71

Councilmember MacEwan 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 variances on March 17, 2020 at 10:00 am at the Town Hall for a wastewater disposal system for property owner The Grove. Tax Map # 200.14-1-2. Property location 91 Cotton Point Road.

Dennis MacElroy of Environmental Design presented the following:

- This is a unique situation on the lake.
- It is a cottage community where the land is owned by the Rivers family, but the 20 cottages are individually owned.
- This has been in existence since the 1920's.
- The cottages have been here for 75 years.
- There is a community wastewater system which requires the cottage owners to go to the separate mens' and ladies' room which is located on the parcel.
- This system has a tank and some sort of dispersal system.
- The ownership regularly maintains this system with pump outs.
- Four or Five cottages have indoor plumbing with incinerator or composting toilets.
- The owners unit has its own separate discharge system.
- This proposal is to start a program which would incorporate holding tanks for various cottages.

- Two years ago, one of the cottage owners received approvals and installed a holding tank.
- Mr. Rivers would like to proceed with a phased approach to get the rest of the cottages on a system.
- This would include 5 cottages in the first phase, five in the second phase and 4 in the third phase.
- This will allow people to connect and maybe have an indoor toilet, but there will not be conventional water use, such as shower, laundry etc.

Supervisor Conover asked if they had a timeline for this. Mr. MacElroy stated 3 years. One group each year.

Supervisor Conover asked if this would be one complete tank. Mr. MacElroy stated it was a 3,000 gallon tank and they come in two pieces which are sealed at the seam to make it one.

Supervisor Conover inquired about ground water. Mr. MacElroy stated the weight of the tank would counteract the buoyancy, but they would make the provisions needed. Director of Planning & Zoning Richard Miller, PE stated that this system was really the only option they had.

Supervisor Conover inquired if they would be providing circuitry for alarm systems for high water. Mr. MacElroy explained that it was in the notes and explained how it would work to the Board. It was a two-float system that would sound an alarm when tank was at certain levels. Councilmember Wilson inquired if one of them could be set to sound the alarm when the tank was half full. Mr. MacElroy responded that it could.

Supervisor Conover asked if they were using the lake for potable water. Mr. Rivers responded that they were using a tap in the ground that had a chlorination and UV system.

- Resolution designating Bolton Town Board as lead agency under SEQRA.

RESOLUTION #72

Councilmember Cleavland moved, seconded by Councilmember MacEwan to declare the Bolton Town Board as Lead Agency under SEQRA for the proposed variance for a wastewater disposal system for property owner Craig Rivers. Tax Map # 200.14-1-2. Property location, The Grove, 91 Cotton Point Road. **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.

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 #73

Councilmember Wilson moved, seconded by Councilmember Cleavland to make a negative declaration with regard to SEQRA & LWRP for the proposed variance for a wastewater disposal system for property owner Craig Rivers. Tax Map # 200.14-1-2. Property location, The Grove, 91 Cotton Point Road. **All in Favor. Motion Carried.**

- Resolution to approve a variance for a replacement wastewater disposal system for Shurts. Tax Map # 165.20-1-16. Property location: 15 Cottage Lane.

RESOLUTION #74

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 variance for the installation of a holding tank on parcel id # 200.14-1-2. Property location, The Grove, 91 Cotton Point Road and approved by acting engineer, Richard Miller P.E. All in Favor. Motion Carried.

Reconvene as Bolton Town Board

RESOLUTION #75

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

New Business:

- Resolution to approve a policy delegating the authority to the Supervisor to cancel town board meetings as needed.

Atty. Muller recommended that the Board give serious consideration to not having a town board meeting in April. Councilmember Cleavland inquired giving the Supervisor power to pay the monthly bills and transfers. Supervisor Conover stated that they could bring them on at a later date to ratify them. Atty. Muller agreed. Supervisor Conover stated he would decide whether or not to cancel the April meeting at a later date and ratify them. He would look into the guidance relative to the meetings of town boards and legislative bodies. He agrees whole heartedly with Atty. Muller and it is in everyone's the best interest not to hold the meeting if there is nothing of high importance scheduled for that meeting they should not have it.

RESOLUTION #76

Councilmember MacEwan moved, seconded by Councilmember Cleavland to adopt the following new policy to authorize the Supervisor to cancel town board meetings as needed:

IT IS HEREBY RESOLVED that the Town of Bolton shall establish a policy and procedure for the cancellation of scheduled municipal meetings on short or abbreviated notice where extraordinary circumstances may require. In instances of severe inclement weather, national, state or local emergency, threat to public health or safety or circumstances of substantial or serious municipal concern and where the Town Board members may be unable to convene in a timely manner to make such a decision, the procedure to be applied in such instances is that the Town Supervisor, or in the absence or unavailability of the Town Supervisor, the Deputy Town Supervisor, shall have plenary and sole authority, as provided in Town Law Section 62, to cancel a special or regular town board meeting or to call for a special town board meeting for any immediate or urgent municipal necessity upon just cause and where the circumstances of urgency or emergency so require. Before any regular or special town board meeting shall be cancelled or called for under this policy and procedure, the Town Supervisor or the Deputy Town Supervisor shall undertake his or her best efforts to contact fellow Town Board members by any means available for personal communication, electronic communication or telephonic communication for the purpose of discussing the need or requirements to schedule or cancel a town board meeting with fellow town board members under this procedure. Nevertheless and in any event, this town policy shall provide that where in the sole judgment of the Town Supervisor or the Deputy Town Supervisor he or she independently finds that substantial and sufficient reason(s) shall so require, and notwithstanding any inability to communicate with fellow town board members or even where a consensus of fellow town board members shall be unobtainable, the decision of the Town Supervisor or the Deputy Town Supervisor made in accordance with this policy shall control and constitute a final decision. Notification to the public of the action taken under this procedure and policy shall be made giving consideration as to "best practices" and wherever possible notification shall be made by the Town Supervisor or Deputy Town Supervisor in any form of media or method of communication which he or she determines is the most effective method. **All others in Favor. Motion Carried.**

- Resolution to address the Town of Bolton’s concern for the public health and general well-being of residents, visitors and employees of the municipality and confronted with the threat of infection from the COVID-19 virus pandemic.

Supervisor Conover stated the town would be culling the work force, by 50% until the end of the month. This includes DPW, which will be on an as call basis with the exception of the Superintendent. The Parks Department will be the same with the exception of coming in to do the morning rounds. The Recreation Director will be working from home. The Planning Office will be operating from home. The Clerk’s Office will reduce by a minimum of one. The Supervisor’s Office will be on an as need basis. Assessor’s Office will reduce by one. The Water and Sewer Departments will reduce by one and be on an on-call basis. Landfill window will be closed, and visitors will need to dump their garbage themselves. Dump cards will not be punched until further notice and all C&D will be written down to be paid at a later date. There will be no change with the Police Department as they are defined as essential personnel. The Courts have their own guidance relative to this matter provided by the Court of Administration. He explained that anyone that is called in to work, and fails to come, will need to use their accrued time for that time period.

Supervisor Conover informed everyone that the Planning and Zoning Meetings would be cancelled until May, at which time it will be reevaluated. Effective today at noon, the town hall will be on lockdown. Numbers for various Departments will be posted. The building will be cleaned from top to bottom. The Conversation Club and The Senior Center are closed for March and April at this time. The Conservation Club will not be taking any reservations for the club until further notice.

Atty. Muller suggested that the

RESOLUTION #77

Councilmember MacEwan moved, seconded by Councilmember Cleavland to address the Town of Bolton’s concerns for the public health and general well-being of residents, visitors and employees of the municipality and confronted with the threat of infection from the COVID-19 virus pandemic as follows:

WHEREAS, the United States of America and the State of New York are facing a pandemic related to Coronavirus Disease (COVID-19) and it is determined that there is a need for the Town of Bolton to adopt a COVID-19 Pandemic Response Plan (Plan) to deal with such circumstances, and

WHEREAS, the Town Supervisor, Town Board and Town Departments have expressed mutual concerns that the municipality should implement a Response Plan (Plan) in reaction to the need, and

WHEREAS, the Town Board acknowledges that further developments and circumstances are likely to require immediate or prompt responses in relation to protecting the public from the circumstances of the declared pandemic, and

WHEREAS, a proposed Plan has been given consideration by the Town Board and upon the discussions, suggestions and agreements arrived at amongst Town Board Members,

NOW, THEREFORE, BE IT

RESOLVED, that the Bolton Town Board hereby adopts a COVID-19 Pandemic Response Plan (Plan) in substantial form as discussed amongst Board Members and in sum and substance has attached hereto, and

BE IT FURTHER,

RESOLVED, that the Town Board authorizes the Town Supervisor to make such modifications to the Response Plan (Plan) as he may from time to time determine upon the exercise of his sound discretion as may be necessary to such situations as they may change and as further federal, state, or county directives and instructions may become known, subject to a timely confirmation of such amendments or modifications as the Town Board may later choose to confirm or disapprove as an amended plan, and

BE IT FURTHER,

RESOLVED, that the Town Board further authorizes and directs the Town Supervisor to distribute copies of the adopted Response Plan to the public and to all Town Departments, and the Warren County Office of Emergency Services, and to further take any and all actions necessary to effectuate the terms of this Resolution and the Plan, and should future circumstances or conditions so require the Town Supervisor is encouraged to further act in his capacity as a local Chief Executive Officer in declaring a Town of Bolton emergency by any appropriate declaration of local emergency to protect the public health, safety and welfare of the inhabitants of the Town of Bolton pursuant to the requirements of New York State Executive Law. **All in Favor. Motion Carried.**

Motion to enter into Executive Session to discuss a personnel manner.

RESOLUTION #78

Councilmember Wilson moved, seconded by Councilmember Cleavland enter into Executive Session to discuss a personnel manner. **All in Favor. Motion Carried.**

No Action Taken: 10:44 AM

Minutes respectfully submitted by:

Jodi Connally
Town Clerk

Katie Persons
Minute Taker