

REGULAR MEETING
BOLTON TOWN BOARD

July 7, 2020

Regular Meeting:

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

Meeting Call to Order: 10:00 AM.

Pledge: Councilmember Wilson

Please pause for a moment of silence for Jack Hensler

Minutes:

- Approve the June 2, 2020 Town Board Meeting Minutes.

RESOLUTION #113

Councilmember Cleavland moved, seconded by Councilmember Wilson to approve the June 2, 2020 Town Board Meeting Minutes. **All in Favor. Motion Carried.**

Public Hearing:

Convene as the Town of Bolton Board of Health

RESOLUTION #114

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

Roden – Parcel ID # 185.00-3-51, Property location: 274 Trout Lake Road.

The following variance is sought to replace a septic system. 100' is required between the leach field and stream. 75' is proposed.

Scott Quigan stated that they were looking for a septic variance for a non-conforming setback.

Councilmember Wilson stated this was a fairly straightforward request.

- Resolution establishing Town of Bolton as Lead Agency.

RESOLUTION #115

Councilmember Cleavland moved, seconded by Councilmember Wilson to declare the Bolton Town Board as Lead Agency under SEQRA for the proposed variance for a replacement of a septic system for Andrew Roden. Tax Map #185.00-3-51, Property location: 274 Trout Lake Road. **All in Favor. Motion Carried.**

- Resolution regarding SEQRA & LWRP Determinations.

Councilmember Wilson asked the Board the following questions:

1. 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
2. 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
3. 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 #116

Councilmember Wilson moved, seconded by Councilmember Cleavland to make a negative declaration with regard to SEQRA & LWRP for the proposed variance for a replacement of a septic

system for Andrew Roden. Tax Map #185.00-3-51, Property location: 274 Trout Lake Road. **All in Favor. Motion Carried.**

- Resolution to approve a variance for installation of a new septic system on Tax Map #185.00-3-51, Property location: 274 Trout Lake Road.

RESOLUTION #117

Councilmember Wilson moved, seconded by Councilmember Cleavland 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 replacement of a septic system on Tax Map #185.00-3-51, Property location: 274 Trout Lake Road, and approved by acting engineer, Richard Miller P.E. **All in Favor. Motion Carried.**

Correspondence:

- Santore's World Famous Fireworks
- NYS Agriculture & Markets Dog Control Inspection Report.
- Scale Servis & Supply, Co. Inc. regarding proposals and pricing.
- J. O'Connell & Assoc. regarding grants writing.
- NYS DOT regarding paving.
- Bolton Historical Museum building restoration and design report.
- End of 2020 roll year report from Assessor's Office.
- Johnsburg Historical Society Newsletter.
- Dennis Dickinson regarding Tourism Recovery Plan.
- ANCA Spring 2020 Update.
- National Grid regarding tree planting program.
- Bennet F. Driscoll, Jr, Catholic Charities regarding NOEP and SNAP programs and funding.

Committee Reports:

Councilmember Rob MacEwan (Absent)

Councilmember Tim Coon

Assessor:

- The Final Assessment Roll was filed with the Town Clerk on July 1st. The process begins again for the 2021 Assessment Roll, updating sales, addresses, tax map changes, building permit and photos.

The following is a summary of the activities for the Town of Bolton Assessor's Office
2020 Roll Year: *July 1, 2019 to June 30, 2020:*

Assessment Changes: On March 7th I mailed over 3400 Impact Notices. After Informal Hearings and Grievance Day determinations, this year's total assessed value increased \$314,252,139. to \$1,952,252,295.

Equalization Rate: The final equalization rate for 2020 is 100% which coincides with our stated Level of Assessment (LOA). This means that on average, all real property is assessed at 100% of market value, which was our goal.

Exemptions: This year 57 Senior (Aged) STAR along with non-profit exemption renewals were mailed out. The administration of the exemptions has been greatly diminished due to the IVP registrations, the voluntary renouncement of STAR exemptions along with requirement that new applicants apply to NYS instead of my office. Eventually this office will only administer exemptions that apply to the Town and County billing.

Formal Assessment Challenges: There were exactly 100 assessment challenges to the Board of Assessment Review on Grievance Day resulting in many changes, there were 4 correction of errors and several stipulation agreements. There were no Small Claims Assessment Review (SCAR) challenges last fall, I do, however, expect several this year. There is one pending Article 7 as of today, from 2018, ETON Center (TOPS), however, they did not file a grievance again this year, they are barred from filing an Article 7 for the 2020 roll year. We expected this year's grievance day to be much busier, as it was, however, we were not able to have people appear in person, and the Board made phone calls to those who made an appointment and wished to speak with them. We held Informal Hearings the week of March 16th and approximately less than 10% requested a hearing. Per the circumstances, I feel Informal's, Grievance Day and the months in between went very well.

Education: As everything is shut down, there is no Cornell/Ithaca Conference this July, the Fall Conference in September is still a go at this time. I was able to get the required Ethics class in last summer, and believe I have enough continuing education credits to get me through this year without having to take a mixture of one day courses to obtain the required 12 credits. The NYSAA is staying ahead of this and providing guidance.

What's ahead for the 2021 Assessment Roll Year: The revaluation project was a complete success. As I now begin the 2021 assessment roll, I am looking at what the market is doing. I believe that this COVID-19 crisis is having a positive effect on the residential sales as most of the sale prices are coming in higher than our new numbers, the new numbers are based on the market as of July 2019, next year's values will be based on what is happening this July.

Wastewater:

- Total flow for the month 4,998,118 gallons for a daily average of 167,000 gallons.

- Casella hauled 48,000 gallons of sludge.
- We had our yearly service done on all 4 generators. All of them are working well no issues.
- We had our yearly service done on all the pump station pumps. All pumps are working well. We are getting prices on a valve repair at the main pump station for pump #2. The suction valve is stuck open. We can't service that pump until the valve is repaired.
- We had our new pump installed at Norowal station. The old pump had water in the motor.
- We have been working with Kathy Suozzo on the design of the new bio reactor cells. Also working on the upcoming grants for the plant and pump stations.
- We have had several plugs in the collection system due to an abundance of rags and non-flushable items. We are sending letters out in July for all of the sewer customers warning of the issues that it causes by flushing certain stuff.
- We have maintained the ground around the plant and stations.
- We have had very good results from the 3 flow meters around town. They are showing the spikes we have during a heavy rain event. We are moving the meters around town in manholes so we can locate the lines that are picking up water during rain events.
- We conducted sampling on the bio reactor twice this month. The bio reactor removed 61% of nitrates last sampling date. Continues to work very well.
- We have had several alarms due to heavy rain events.

Councilmember Susan Wilson

Planning/Zoning:

- The Planning office is currently up to date with applications.

Town Clerk:

- First and foremost, I would like to commend the team in the Town Clerk's office for the exceptional job they have done assisting our residents, visitors and other departments during these trying times of Covid 19.
- We distributed 345 resident clean-up cards
- Sold \$5916 in landfill tickets at the Clerk's window
- Sold \$5549 in landfill tickets at the transfer station
- Satisfied numerous FOIL requests
- Fishing licenses
- Numerous legal advertisements with the Post Star
- Dog licenses and renewals
- Issued numerous burn permits
- Notarized numerous documents
- Prepared and entered invoices for payment
- Order supplies for various departments

- Marriage licenses
- Death certificates
- Issued numerous disability plaques

Councilmember Wanda Cleavland

Police:

- 38 patrol shifts, 371 reportable activities and 300 property checks.
- Bolton P.D. participated in 3 Birthday Parades during June.
- On 6/26 P.O Keane assisted with B.C.S. Graduation Ceremony at the Recreation Field.

Supervisor's Report:

- Deposits: \$ 188,804.18
- Disbursements: \$ 334,565.69
- Sales Tax: -8.1 % for May / -3.4% year to date.
- Final State Equalization Rate for the 2020 roll is 100.00.
- Parks operating well – Bad water quality test at Rogers, presently retesting.
- Overall Town busy – initial reports from businesses good.

New Business:

- Resolution to waive the 30 day advanced notice for liquor license application for Richard Boccato at 4983 Lake Shore Drive.

RESOLUTION #118

Councilmember Cleavland moved, seconded by Councilmember Wilson to waive the 30 day advanced notice for liquor license application for Richard Boccato at 4983 Lake Shore Drive.

All in Favor. Motion Carried.

- Resolution extending the issuance of all commercial amplified sound permits issued by prior authority for the year 2019 to be extended into the year 2020 without further application.

Councilmember Wilson stated that this resolution is due to the circumstances involving Covid-19 and will allow an entity who applied and received a seasonal sound permit in 2019 to carry it into the 2020 season under the same conditions.

RESOLUTION #119

Councilmember Wilson moved, seconded by Councilmember Coon authorize extending the issuance of all commercial amplified sound permits issued by prior authority for the year 2019 to be extended into the year 2020 without further application as follows:

Bolton Town Board Minutes
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WHEREAS the Town of Bolton has an Ordinance #22 entitled “Noise Ordinance” and provision is made in such Ordinance whereby the Town Board may give consideration by application for the issuance of an amplified sound permit requested by commercial enterprises and private interests, and

WHEREAS the COVID-19 Pandemic and the Executive Orders promulgated by Governor Andrew Cuomo have included in a “New York on Pause” program a suspension of the requirements of Open Meetings Law and members of the public have had little access to attend Town Board meetings in person in order to be heard upon topics of general consideration, and specifically matters that may involve public consideration of the issuance of amplified sound permits, and

WHEREAS the Town Board finds that it is in the best interest of the promotion of local commercial enterprises and in support of their business opportunities to allow under these extenuating circumstances the continued issuance of amplified sound permits in “blanket form” and more specifically to permit town wide approval without further administrative process granting permission for the continuance of amplified sound permits that have been previously issued in the year 2019 and allowing such past permits to be extended and continued through the period 2020,

NOW and THEREFORE it is hereby RESOLVED

THAT the Town Board hereby extends the issuance of all commercial amplified sound permits issued by prior authority for the year 2019 to be extended into the year 2020 without further application, review or public hearing to the fullest extent that the terms and provisions of the 2019 issued permits shall be extended to and include the period 2020 so long as the terms, limitations and conditions extended and made part of the original 2019 permit are abided by for the continuance period through 2020. This extension and grant for 2020 is limited to permits issued in 2019 and does not constitute a “blanket form” of approval where the 2019 permittee requires extension of time, amendment of condition or change in location specified in the original 2019 permit. Any expansion of an original 2019 permit or amendment thereto sought by an applicant shall require consideration by the Town Board as a new permit. Any application for a new permit which is not an extension of a 2019 permit shall follow the regular procedure and administrative process as a new application. **All in Favor. Motion Carried.**

- Resolution to contribute \$5,000 toward the local share for the purchase of a brine truck to be used by participating towns.

Supervisor Conover explained that this was a truck that was also a brine maker and by participating the town can make the brine that is needed for the winter season. This will allow us to make the brine at a fraction of a price and have it available when needed. This is a project being proposed by Dave Wick of the LGA and the truck will be handled by Warren County. The \$5,000 will be sent to Warren County by the participating towns with the balance being made up with a \$70,000 grant.

RESOLUTION #120

Councilmember Coon moved, seconded by Councilmember Cleavland authorizing the contribution of \$5,000 toward the local share for the purchase of a brine truck to be used by participating towns. **All in Favor. Motion Carried.**

- Resolution to approve the updated employee handbook for the Town of Bolton.

Supervisor Conover explained that this will consolidate many items that are now in folders and in the organizational minutes into one spot. Councilmember Wilson stated this was a long time coming.

RESOLUTION #121

Councilmember Cleavland moved, seconded by Councilmember Coon to approve the updated employee handbook for the Town of Bolton. **All in Favor. Motion Carried.**

- Resolution to establish the position of Administrative Assistant in the Planning and Zoning Department per the recommendation of the Warren County Civil Service Administrator.

Councilmember Wilson stated that the Planning Office has been restructuring and they had submitted a job duties statement to Civil Service who in turn approved this position as an Administrative Assistant. Once this position is established by resolution, Civil Service will forward a list of eligible people who currently appear on this list.

Supervisor Conover stated this was a very active office with a lot of projects and programs. He stated that this position has to come off from an active Civil Service list and they give priority to Bolton residents.

RESOLUTION #122

Councilmember Wilson moved, seconded by Councilmember Coon to establish the position of Administrative Assistant in the Planning and Zoning Department per the recommendation of the Warren County Civil Service Administrator. Councilmember Cleavland opposed. **All others in Favor. Motion Carried.**

- Resolution authorizing a loan from the CDBG to the Sewer District in the amount of \$180,000.

Supervisor Conover stated that they have all kinds of work going on at the Sewer Plant that needs to be capitalized because the operating budget simply can't handle it. They are thinking of doing a 20 year loan, which will help them to keep moving forward. Operating a small sewer district has enormous challenges, including financial challenges. This needs to take place. The people operating the Sewer Department are doing an excellent job.

RESOLUTION #123

Councilmember Cleavland moved, seconded by Councilmember Coon authorizing a 20 year loan at the established rate from the CDBG to the Sewer District in the amount of \$180,000. **All in Favor. Motion Carried.**

- Resolution to authorize the Supervisor acting on behalf of the town, and Deputy Supervisor acting on the behalf of Sewer District to enter into a land lease on sewer district lands for the construction of a Buildings and Grounds structure and associated parking.

Supervisor Conover stated this has been a long time in coming and it predates him. They will have to develop an arrangement between the district and the town and take the steps to move forward and make this initiative happen.

RESOLUTION #124

Councilmember Cleavland moved, seconded by Councilmember Coon to authorize the Supervisor acting on behalf of the town, and Deputy Supervisor acting on the behalf of Sewer District to enter into a land lease on sewer district lands for the construction of a Buildings and Grounds structure and associated parking. **All in Favor. Motion Carried.**

- Resolution to increase the cell phone stipend for the Town Clerk and the Confidential Secretary from \$25 a month to \$75 a month.

Councilmember Cleavland stated that they both use their cell phones for work purposes an exceptional amount and she does not feel that the \$25 covers their expense. Councilmember Wilson stated this was a good move, as they do use their phones a lot. She texts them all the time. Supervisor Conover agreed saying he contacts them on weekends too.

RESOLUTION #125

Councilmember Cleavland moved, seconded by Councilmember Coon to increase the cell phone stipend from \$25 a month to \$75 a month for the Town Clerk and the Confidential Secretary. **All in Favor. Motion Carried.**

Councilmember Wilson stated that back in 1980 The World Health Organization announced smallpox had been eradicated, Mount St. Helens erupted, Larry Bird beat out Magic Johnson for NBA Rookie of the Year, Ronald Reagan was elected President of the United States and we finally found out who shot J.R. Ewing.

But of more importance, in 1980 Mary Owens accepted a position with the Town of Bolton. For over 40 years Mary has served as the ambassador and face of the Town of Bolton to thousands and thousands of visitors, second homeowners and Bolton residents. Mary greeted everyone with her warm smile and friendly demeanor and always made people feel welcome.

Thank you, Mary, for the 40 years you have given the town and we hope you now have the opportunity to fill your time with everything you enjoy. We wish her all the Best!! The Board stated that she would be missed.

Public in Attendance:

RESOLUTION #126

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

TRANSFERS FOR JULY 2020:

To	From	Amount
<u>GENERAL:</u>		
1430.4 Personnel CE	1220.4 Supervisor CE	\$132.00
3510.4 Dog/Animal Control CE	3120.1 Police/Constable PS	\$576.00
8010.4 Zoning/Planning CE	8010.1 Zoning/Planning PS	\$1,594.00
8510.4 Comm Beatification CE	8510.1 Comm Beautification PS	\$504.00
<u>HIGHWAY:</u>		
5110.2 Storm Damage Repairs	5110.4 Bridges/Culverts CE	\$43,727.00
<u>WATER:</u>		
8340.2 Trans/Distribution EQ	8340.4 Trans/Distribution CE	\$430.00

RESOLUTION #127

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

Pay the Bills:

	Vouchers	Amount
Abstract 6A		
General	830-862	8,039.82
Sewer	180-185	2,012.45
Water	144-146	1,848.68
St Lights	16-17	1,174.94

Abstract 7

General	745-829 863-909	201,625.61
Highway	154-197	65,651.37
Sewer	167-179 186-200	13,666.92
Water	129-143 147-162	12,566.57
Water Improve	3	4,245.00
St Lights	18	1,259.05
Sewer Improve	10-11	1,317.50
Rogers Park PH4	5-6	4,596.51
Rogers Park PH5	6-7	31,107.95
Tourism	6-9	14,271.80

Adjourn:

RESOLUTION #128

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

Adjourn: 10:30AM

Minutes respectfully submitted by:

Jodi Petteys
Town Clerk

Katie Persons
Minute Taker

