

REGULAR MEETING
BOLTON TOWN BOARD

November 4, 2020

Regular Meeting:

Supervisor: Ronald Conover
Councilman: Robert MacEwan
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 Coon

Please stand for a moment of silence for: Don Pratt, Ed Sheridan, Pat VanValkenburgh, and Debbie Peterson.

Minutes:

- Approve the October 6, 2020 Regular Town Board Meeting Minutes.

RESOLUTION #204

Councilmember Cleavland moved, seconded by Councilmember MacEwan to approve the October 6, 2020 Town Board Meeting Minutes. **All in Favor. Motion Carried.**

PUBLIC HEARING:

Public Hearing regarding 2021 Town Budget

Zandy Gabriels spoke on the following:

- Water Department fixed charge vs. billable gallons.
- Proposed a sales tax resolution to return approximately \$200,000 to the county.

Supervisor Conover explained that it is something the Board considers each year in March/April period. He explained that if they exceeded the sales tax number, it would fall to the fund balance, and if it falls to the fund balance, it can be used for local projects or it could be sent to the county to increase the \$650,000 that is already left there. This will be done next year. Zandy Gabriels said they can make a resolution to do it today. Supervisor Conover stated the Board could take that under advisement.

Supervisor Conover closed the Public Hearing.

- Resolution regarding 2021 Town Budget

Councilmember Wilson stated that it was not an easy task this year, but she feels it was done well. Councilmember Cleavland said she believes it is a good solid budget.

RESOLUTION #205

Councilmember Cleavland moved, seconded by Councilmember Wilson to adopt the 2021 Town of Bolton Budget. **All in Favor. Motion Carried.**

Convene as Bolton Water District

RESOLUTION #206

Councilmember Cleavland moved, seconded by Councilmember MacEwan to convene as the Bolton Water District. All in Favor. Motion Carried.

Public hearing regarding 2021 Water District Budget

Zandy Gabriels questioned water deferment for a period of 24 months and the debt service interest in the budget. Supervisor Conover said that anything like that would fall to either the sewer or water district budgets should we be fortunate enough that the revenues are sufficient. This is to give these two districts some breathing room. Zandy Gabriels said it still needs to be paid back. Supervisor Conover stated that they have been paying it back right along and this is not voiding it, it is deferring it for 24 months. The Board has the option of modifying this next year if their conservative projections are more optimistic.

Zandy Gabriels said he noticed the water level in the pond low. Supervisor Conover agreed and said that is why a water advisory was put out on the website and paper.

- Resolution regarding 2021 Water District Budget and rate schedule.

Supervisor Conover closed the Public Hearing.

RESOLUTION #207

Councilmember Wilson moved, seconded by Councilmember Cleavland to adopt the Water District Budget & Water Rate Schedule for 2021 (beginning January billing period 2021). **All in Favor. Motion Carried.**

- Resolution authorizing the re-levy of the outstanding 2020 receivables in the Town of Bolton Water District on the 2021 Warren County Tax bills in the amount of \$28,907.34.

Councilmember Cleavland said it was very close to what they did last year.

RESOLUTION #208

Councilmember MacEwan moved, seconded by Councilmember Cleavland to authorize the re-levy of outstanding 2020 receivables in the Town of Bolton Water District on the 2021 Warren County Tax bills in the amount of \$28,907.34. **All in Favor. Motion Carried.**

Convene as Bolton Sewer District

RESOLUTION #209

Councilmember Cleavland moved, seconded by Councilmember MacEwan to convene as the Bolton Sewer District. **All in Favor. Motion Carried.**

Public hearing regarding 2021 Sewer Budget.

Supervisor Conover closed the Public Hearing.

- Resolution regarding 2021 Sewer District budget and rate schedule.

RESOLUTION #210

Councilmember Wilson moved, seconded by Councilmember Cleavland to adopt the Sewer District Budget & Sewer Rate Schedule for 2021 (beginning January billing period 2021). **All in Favor. Motion Carried.**

- Resolution authorizing the re-levy of outstanding 2020 receivables in the Town of Bolton Sewer district on the 2021 Warren County tax bills in the amount of \$13,666.80.

RESOLUTION #211

Councilmember MacEwan moved, seconded by Councilmember Wilson to authorize the re-levy of outstanding 2020 receivables in the Town of Bolton Sewer District on the 2021 Warren County tax bills in the amount of \$13,666.80. **All in Favor. Motion Carried.**

Convene as the Town of Bolton Board of Health

RESOLUTION #212

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

Septic Variance:

John and Sandra Abeel – Parcel ID# 171.11-1-62 – Property Location: Cabin #4 of the North Brook Cooperative. Replacement of the existing septic system requiring the following variances:

- 10 feet is required between the leach field and property line. 2 feet is requested.
- 10 feet is required between the septic tank and building. 2.5 feet is requested.

Tom Hutchins of Hutchins Engineering presented the following:

- This is a cabin in North Brook Village where the individual owners own the structures, but the property is owned by North Brook Cooperative Corp.
- This is an antiquated system that is structurally failing.
- They are proposing to replace it with a conventional system.
- There are some constraints with the property line to the rear and where they want to locate the septic tank.
- They feel this is the best technical solution for a functional modern wastewater system.
- They looked at other areas, but they are encumbered by very shallow bedrock.

Councilmember Cleavland said that she see's that this system will not handle jacuzzi type tubs and they should have low flow toilets and shower heads. Mr. Hutchins stated this was correct. It was sized for modern systems.

Councilmember Cleavland asked if the existing system would be pumped and filled in. Mr. Hutchins replied that it would be pumped and removed as they were using this site for new septic tank.

Councilmember Cleavland asked Rich Miller PE for a written approval letter for the file.

Councilmember MacEwan inquired if this system was in need of an alarm system. Mr. Hutchins replied it was not, there were no pumps or holding tanks.

- Resolution establishing Town of Bolton as Lead Agency.

RESOLUTION #213

Councilmember Wilson moved, seconded by Councilmember Cleavland to declare the Bolton Town Board as Lead Agency under SEQRA for the proposed septic variances for John and Sandra Abeel – Parcel ID# 171.11-1-62 – Property Location: Cabin #4 of the North Brook Cooperative. **All in Favor. Motion Carried.**

- Resolution regarding SEQRA & LWRP Determinations.

Councilmember Cleavland 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 #214

Councilmember Cleavland moved, seconded by Councilmember Wilson to make a negative declaration with regard to SEQRA & LWRP for the replacement and upgrade of current septic system, for John and Sandra Abeel – Parcel ID# 171.11-1-62 – Property Location: Cabin #4 of the North Brook Cooperative. **All in Favor. Motion Carried.**

- Resolution for the proposed variances to replace and upgrade current septic system for John and Sandra Abeel – Parcel ID# 171.11-1-62 – Property Location: Cabin #4 of the North Brook Cooperative.

RESOLUTION #215

Councilmember Cleavland moved, seconded by Councilmember MacEwan having declared the Bolton Local Board of Health as Lead Agency, held a public hearing, made a Negative Declaration for the SEQRA Application and a positive determination of consistency for the LWRP Application, I make a motion to approve this application for a septic variance for John and Sandra Abeel – Parcel

ID# 171.11-1-62 – Property Location: Cabin #4 of the North Brook Cooperative with the following conditions:

1. A written letter of approval from Richard Miller, PE., Director of Planning and Zoning is to be submitted before any permits are issued.
2. Water conserving fixtures are to be installed.
3. No extreme water fixtures such as jacuzzi type spa tubs or water treatment equipment is to be installed. **All in Favor. Motion Carried.**

Reconvene as Bolton Town Board

RESOLUTION #216

Councilmember MacEwan 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:

- He could not find the notice on the webpage for water conservation. *Supervisor Conover explained that it was under the Public Notice section of the website.*
- Sticks & debris laying at the bottom of the spillway at the Water Department.

Correspondence:

- Vacasa regarding vacation rentals.
- Community Loan Fund 35-year anniversary celebration.
- Bank of Greene County offering municipal loans.
- Kennedy & Madonna, LLP regarding recently established MCLs for PFOA and PFOS.
- NYS DEC engineering review of additional wood chip bioreactor units.
- William Horne regarding Route 9N striping.
- YMCA brochure.
- NYS APA Jurisdictional Determination J2019-0724.
- Charter Communications regarding upcoming changes.

Committee Reports:

Councilmember Rob MacEwan

Transfer Station:

- Total for the month: \$9,901.
- Spring Clean Up cards: \$4,001.

Justice Court:

- During the month of October 2020, Justice Edward G. White collected \$2,265.00 in fines and Justice Joe Connally collected \$3,266.00. Total monies forwarded to the Town of Bolton amounted to \$5,531.00. Itemized lists are available in the Court should anyone desire to look them over.

EMS:

Calls for Service & Billing activity thru September 2020:

Calls: 30 of which 26 were billable.

| | |
|------------------------------------|--------------|
| Gross Charges Billed in September: | \$ 37,828.00 |
| Gross Charges Billed YTD: | \$234,080.00 |
| | |
| Payments Received in September: | \$ 14,362.58 |
| Payments Received YTD: | \$108,003.73 |

Billing payments received thru September 2019 were \$110,975.08.

Payroll Expenses for September were \$23,329.35. Year to date thru September 2020 was \$235,071.25 versus \$216,596.62 thru September 2019.

Councilmember Tim Coon (Absent)

The following reports were submitted to the Board but not read into the minutes.

Wastewater:

- Total flow for the month 4,136,679 gallons for a daily average of 138,000 gallons.
- Casella hauled 24,000 gallons of sludge.
- We have cleaned several lines around town after the busy summer season.
- We conducted bio sampling twice this month. The nitrate removal is lower because of the colder temperatures.
- We cleaned the three pump stations and removed the grease from the walls.
- We removed the mowing deck from the lawn tractor and installed the snow blower.
- We turned the heat on in all the stations and the plant.
- We have been working with Kathy Suozzo on the design of the two new bio reactors.
- We have drained several tanks around the plant and cleaned them for the season.

Assessor:

- Small Claims Assessment Review (SCAR) hearings have concluded. Out of 3662 parcels, the office received six (6) notices of Small Claim filings. Three assessments were reduced, one assessment was unchanged and two were dismissed due to filing procedural issues.
- Exemption renewal process has been started; Assessors across the state are concerned with our Senior Citizens visiting the town offices to renew their exemptions. The New York State Assessors Association (NYSAA) along with other Associations throughout the state, are working on an executive order from the Governor's office regarding our low-income renewal requirements.
- During the recent NYSAA Fall Conference, Christine was installed as the 2nd Vice President of the NYSAA and is also now part of NYS RPTAC (Real Property Tax Administration Committee). A committee to maintain a platform regarding issues concerning the real property tax administration process throughout NYS.

Councilmember Susan Wilson

A resignation letter was received from John Whitney from his position on the ZBA. His time spent on the Board has been appreciated and he will be greatly missed.

Councilmember Wanda Cleavland

Police:

- 39 patrol shifts, 403 reportable activities & 360 property checks.
- October 12th the traffic lights were turned over to flash for the season by P.O. Lail.

Supervisor's Report:

- Deposits: \$ 141,881.89
- Disbursements: \$ 395,059.85
- Sales Tax through September down 4.3%.
- New Lighting standards replaced on Lake Shore Drive.
- Rogers Park improvements moving along. *At last report they are on schedule.*
- Route 9n improvements should be completed this year weather permitting.
- New Pinnacle parking lot approved, will be underway this year and completed next year including a new trail head and access to Bradley Lookout.
- Public restrooms are open in the Town Hall on weekends until 5pm.
- Our crews have done an exceptional job on Padanarum Road.

Supervisor Conover submitted the following report for the 2021 Budget:

I am pleased to report that the 2021 Bolton Town Budget maintains the Town property tax levy unchanged at \$820,890. Maintaining the Town tax levy at the current level was made possible by

spending reductions and stabilizing sales tax revenues. These budget decisions when applied to an overall increase in Town valuation results in a projected 2021 Town of Bolton property tax rate of 42.95 cents per thousand of assessed value down from 51.8 cents per thousand.

The Town General Fund Appropriation for 2021 is \$3,597,895 a decrease of \$265,606 from the previous year's budget. This decrease in expenditure was largely made possible as we did not need to budget any land acquisition or major equipment purchases in 2021.

The Highway Fund appropriation for 2021 is \$1,929,098. Down approximately \$68,000 from our 2020 amended budget. This was made possible as our highway budget does not include any major pieces of equipment to be purchased in 2021 and a reduction in our highway improvements. As in previous years, should revenues continue to be strong for the remainder of 2020 and into 2021 the Town Board will consider increasing the scope of work and budgeted amounts for our road and bridge improvement program.

Our Lighting District property tax levy for 2021 is unchanged at \$31,000.

The 2021 Water District Budget increases the quarterly flat rate \$5. As always, we will continue to do everything possible to ensure that the Water District operates in an efficient and financially responsible manner and that a quality product is delivered to our water customers. Moreover, we continue to invest in our operators, plant, distribution system and pressure reducing stations.

The 2021 Sewer District Budget includes a \$5 quarterly flat rate increase. While much progress has been made within the Sewer District it has come at a cost and there is much more work to do. As the Board is aware, we have an ambitious improvement plan for the sewer plant, collection system and pump stations. Our approach is to take advantage of the latest affordable technology, like the Wood-Chip Bioreactor and when possible seek grant assistance to accelerate the upgrades and aid us with costs associated with our improvement plans.

Overall, I believe the Town Board has prepared a solid 2021 Budget. We have adopted very conservative revenue projections and a responsible expenditure plan. It is an expenditure plan that provides the level of service residents expect, supports our community organizations, contributes to the protection of Lake George, upgrades our infrastructure, protects our residents and visitors and replaces aged vehicles and equipment, as a few examples. As always, we will keep a very watchful eye on all revenue and expenditure line items as we finish 2020 and move into 2021. The Town of Bolton continues to be in excellent financial shape.

A special thanks to Town of Bolton Bookkeeper Mariann Roberts Huck for her excellent work and assistance in the preparation of the 2021 Town of Bolton Budget. During our budget workshop the Town Board completed a line by line review of the Tentative 2021 Town Budget. It is very much a team effort. Last but certainly not least my thanks to the Town Departments for their excellent work and dedication to Bolton.

New Business:

- Resolution to authorize seasonal road closing for the Town of Bolton as follows: Notice is hereby given that Water Plant Road from the Susan Huck property to Potter Hill Road and Padanaram Road from Comstock Road to Wardsboro Road will not be maintained by the Town of Bolton Highway effective December 1, 2020 through April 1, 2021, and that the Town Clerk be authorized to place a public notice to this affect.

RESOLUTION #217

Councilmember Wilson moved, seconded by Councilmember Cleavland to authorize seasonal road closing for the Town of Bolton as follows: Notice is hereby given that Water Plant Road from the Susan Huck property to Potter Hill Road and Padanaram Road from Comstock Road to Wardsboro Road will not be maintained by the Town of Bolton Highway effective December 1, 2020 through April 1, 2021, and that the Town Clerk be authorized to place a public notice to this affect. **All in Favor. Motion Carried.**

- Resolution to hold a public hearing on December 1, 2020 to give consideration to an agreement between the Water Department and the Town for the municipality's general improvement and use part of the Water District premises for general municipal services, and to authorize the Town Clerk to advertise such public hearing.

RESOLUTION #218

Councilmember Cleavland moved, seconded by Councilmember Wilson to hold a public hearing on December 1, 2020 to give consideration to an agreement between the Water Department and the Town for the municipality's general improvement and use part of the Water District premises for general municipal services, and to authorize the Town Clerk to advertise such public hearing. **All in Favor. Motion Carried.**

- Resolution to authorize the deferment of the Water and Sewer loan repayments for 24 months for 2020 and 2021

Supervisor Conover explained that as he said earlier, there have been many impacts this year, and this is a cautionary move. They can always make any adjustments needed at a later date.

RESOLUTION #219

Councilmember Cleavland moved, seconded by Councilmember MacEwan, IT IS HEREBY RESOLVED that in recognition the financial impacts of the COVID -19 pandemic and the

substantial reduction of anticipated annual revenues from the Town of Bolton Water District users and the Town of Bolton Sewer District users for the calendar years 2020 and 2021, the Town of Bolton shall defer repayment on loans owed to the Town by each district. Commencing January 1, 2022 repayment of the loans due to the Town’s UDAG/CDBG account by each district shall be resumed and the deferred portions of indebtedness shall be extended for two additional years beyond the original term. **All others in Favor. Motion Carried.**

Public in Attendance:

Zandy Gabriels inquired about the water and sewer monthly reports and the fund balance for UDAG. He also suggested a modification for EMS in the 2021 budget for another \$25,000 to \$30,000.

Supervisor Conover said that he would check that and get the information to him.

RESOLUTION #220

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

ADDITIONAL TRANSFERS FOR SEPTEMBER 2020

| To | From | Amount |
|--------------------------|--------------------------|----------|
| <u>SEWER:</u> | | |
| 8110.4 Administration CE | 8110.2 Administration EQ | \$133.00 |

TRANSFERS FOR OCTOBER 2020

| To | From | Amount |
|-------------------------------|-------------------------------|-------------|
| <u>GENERAL:</u> | | |
| 1355.4 Assessor CE | 1990.4 Contingency | \$5,000.00 |
| 1620.2 Buildings/Grounds EQ | 1620.1 Buildings/Grounds PS | \$2,977.00 |
| 1620.4 Buildings/Grounds CE | 1990.4 Contingency | \$10,189.00 |
| 3510.4 Dogs/Animal Control CE | 4010.4 Board of Health CE | \$24.00 |
| 7110.4 Parks CE | 7110.1 Parks PS | \$6,025.00 |
| 8510.4 Comm Beautification CE | 8510.1 Comm Beautification PS | \$854.00 |

| | | |
|-------------------------------|-------------------------------|----------|
| <u>WATER:</u> | | |
| 8340.2 Transm/Distribution EQ | 8340.4 Transm/Distribution CE | 1,452.00 |

| | | |
|---------------------------------|------------------------------|------------|
| <u>SEWER:</u> | | |
| 8110.4 Administration CE | 1440.4 Professional Services | \$1,432.00 |
| 9060.8 Medical Ins (Town Share) | 8130.4 Treat/Disposal CE | \$7,126.00 |

RESOLUTION #221

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

Pay the Bills:

| | Vouchers | Amount |
|-------------|-----------|------------|
| Abstract 9A | | |
| General | 1227-1266 | 3,695.40 |
| Sewer | 267-276 | 3,197.39 |
| Water | 203-206 | 1,539.68 |
| St Lights | 24-25 | 21.76 |
| Highway | 285 | 223,531.37 |

Abstract 10

| | | |
|-----------------|---------------------|-----------|
| General | 1170-1226 1267-1316 | 78,679.90 |
| Highway | 270-284 286-306 | 68,277.29 |
| Sewer | 261-266 277-293 | 23,311.66 |
| Water | 195-202 207-219 | 14,766.33 |
| Water Improve | 6 | 422.50 |
| St Lights | 26 | 451.19 |
| Sewer Improve | 17-19 | 6,317.50 |
| Rogers Park PH4 | 8-9 | 480.00 |
| Rogers Park PH5 | 9-10 | 995.85 |
| Tourism | 12-16 | 27,893.16 |

Adjourn:

RESOLUTION #222

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

Adjourn: 10:56AM

Minutes respectfully submitted by:

Jodi Petteys
Town Clerk

Katie Persons
Minute Taker

