

REGULAR MEETING
BOLTON TOWN
BOARD

April 5, 2022

Regular Meeting:

Supervisor: Ronald Conover
Councilmember: Robert MacEwan
Councilmember: Brendan Murnane
Councilmember: Wanda P. Cleavland
Councilmember: Susan Wilson
Town Clerk: Jodi Petteys
Counsel: Brian Reichenbach
Director of Planning & Zoning: Richard Miller

Meeting Called to Order: 6:00PM.

Pledge: Councilmember MacEwan

Minutes:

- Approve the March 1, 2022, Regular Town Board Meeting Minutes.

RESOLUTION #89

Councilmember Cleavland moved, seconded by Councilmember Murnane to approve March 1, 2022 Regular Town Board Meeting Minutes. **All in Favor. Motion Carried.**

- Approve the March 9, 2022 Special Town Board Meeting Minutes

RESOLUTION #90

Councilmember Wilson moved, seconded by Councilmember MacEwan to approve March 9, 2022 Special Town Board Meeting Minutes. **All in Favor. Motion Carried.**

PUBLIC HEARINGS To amend Ordinance 24 Code of Ethics

**AMENDMENT TO TOWN OF BOLTON ORDINANCE #24
CODE OF ETHICS**

Bolton Town Board Minutes
April 5, 2022

Resolution to update Town of Bolton Ordinance #24 Code of Ethics as follows:

Subsection (c) of Section 3, **Standards of Conduct** shall be amended to add the underlined language as follows:

“(c) Representation before one’s own agency. He or she shall not receive, or enter into any agreement, express or implied, for compensation for services to be rendered in relation to any matter before any municipal agency of which he or she is an officer, member or employee, or of any municipal agency over which he or she has jurisdiction or to which he or she has the power to appoint any member, officer or employee. This section shall prohibit the appearance or representation on behalf of any client or customer before any Board of the Town of Bolton by an officer or employee except where such appearance or representation is: 1. in the discharge of his or her official duties for the Town of Bolton; or 2. the substantive subject matter of the appearance or representation is the officer or employee’s personal interest.”

SECTION 7

EFFECTIVE DATE: This ordinance shall take effect 10 days after posted and published as required by law.

TO READ AS AMENDED:

EFFECTIVE DATE: THIS ORDINANCE SHALL TAKE EFFECT 10 DAYS AFTER PUBLICATION AS REQUIRED BY LAW.

- Resolution to close the Public Hearing

RESOLUTION #91

Councilmember Wilson moved, seconded by Councilmember Murnane to close the Public Hearing to amend Ordinance 24 Code of Ethics. **All in Favor. Motion Carried.**

- Resolution to amend Ordinance 24 Code of Ethics

Councilmember Wilson stated that this addresses a concern that has been brought to them several times.

RESOLUTION #92

Councilmember Cleavland moved, seconded by Councilmember Wilson to make amend Ordinance 24 Code of Ethics as follows:

Subsection (c) of Section 3, **Standards of Conduct** shall be amended to add the underlined language as follows:

“(c) Representation before one’s own agency. He or she shall not receive, or enter into any agreement, express or implied, for compensation for services to be rendered in relation to any matter before any municipal agency of which he or she is an officer, member or employee, or of any municipal agency over which he or she has jurisdiction or to which he or she has the power to appoint any member, officer or employee. This section shall prohibit the appearance or representation on behalf of any client or customer before any Board of the Town of Bolton by an officer or employee except where such appearance or representation is: 1. in the discharge of his or her official duties for the Town of Bolton; or 2. the substantive subject matter of the appearance or representation is the officer or employee’s personal interest.” **All in Favor. Motion Carried.**

Public in Attendance:

Correspondence:

- CleanView Capital regarding the Government Non-Debt” Finance Program.
- Invitation to the RPI Presidential Tribute Celebration.
- Sembrich Gala Invitation.
- NYS Assembly regarding the Pollution Prevention Community Grants Program applications.
- NYS DEC regarding Climate Smart Communities Program.
- American Legion Post 961 regarding the Memorial Day Parade.
- Thank you from The Sembrich for Occupancy Tax allotment.
- Lake George-Lake Champlain Regional Planning annual report.
- LGLC thank you for supporting their Hike-A-Thon event.

Committee Reports:

Councilmember Rob MacEwan

Highway:

- Plowed, sanded and salted several small snow and ice storms.
- Thawed out several frozen culverts.
- Picked up and chipped up several downed trees from wind.
- Hauled sand.
- Graded dirt roads and raked them.
- Started cutting brush on Finkle Road.

Justice Court:

N/A

Transfer Station:

- Total for the month: \$4,972.
- Spring Clean Up cards: \$4,746.

Recreation:

N/A

EMS:

N/A

Councilmember Brendan Murnane

Assessor:

N/A

Wastewater:

- Total flow for the month 4,433,443 gallons for a daily average of 143,000 gallons.
- Casella hauled 8,000 gallons of sludge.

- We had our chemical company Slack assist us with lowering our daily chemical usage and where we added the chemical to. We also switched to another chemical to assist with our popping sludge issues. Everything is a lot better now and plant is running better.
- We have assisted the water dept. with multiple water shut off issues and helped fixed things at the plant for them.
- We assisted the highway with a frozen culvert on east Schroon River Road with the sewer jet.
- We have cleaned several tanks around the plant and lines with the sewer jet.
- On 3/15 the generator at Norowal pump station was leaking antifreeze. Milton came up and found that the radiator was bad and need to replace along with several lines. The parts are on order and waiting for them to repair the generator.
- We removed the snowblower from the tractor and installed the mowing deck.
- On 3/31 We had Ellsworth and sons replace our pump suction valve at the main pump station. The valve was stuck open and if there was an issue with the pump, we wouldn't be able to repair it. The valve is working great and no issues.

Water:

- The total flow to the distribution system for the month of March was 9,973,510 gallons with an average of 321,726 gallons per day.
- The monthly total coliform tests were taken according to the sampling schedule.
- The monthly Total Organic Carbon tests were taken in accordance with DOH regulations and sampling schedule.
- Took yearly PFOA, PFOS and 1,4 Dioxane tests in accordance with DOH regulations and sampling schedule.
- Gathered final readings for multiple properties that were sold.
- Conducted general maintenance and grounds work around the plant and P.R.V. stations.
- Sold several Neptune radial meters to replace non-working meters.
- Shoveled out fire hydrants as necessary with snowstorms.
- Beginning to turn on water at residences as requested.
- 3/2 Meet with Don Coalts III and Kathy Suozzo to discuss improved means of measuring flow to the distribution system.
- 3/3 ARPA funds meeting at town hall.
- 3/4 Issue with furnace fuel filter. Filter replaced by Jack Hall.

- 3/7 Cleaned and replaced diaphragm in CI2 pump.
- 3/9 Replaced soda ash batch mixer with assistance from the wastewater department.
- 3/9 Meeting with board members to discuss ways to save money.
- 3/17 John Waters of Cyclops processes on site to assist in testing a new way to meter the flow to distribution system. Strap on meter applied to clearwell outlet pipe by Matt Coon from wastewater, following necessary confined spaces regulations.
- 3/25 Potential leak at 4871 Lakeshore drive. Water coming up around curb box. Determined to be groundwater that subsided over the weekend.
- 3/31 received delivery of PCH-180 from holland chemical

Councilmember Susan Wilson

Planning / Zoning:

- The Planning Office for the month of September collected fees in the amount of \$14,535.00 for various items including Certificates of Compliance, Variances, Short Term Rental Permits, Site Plan Reviews, Stormwater Permits and After the Fact Fees.

Councilmember Wanda Cleavland

Police:

- 48 patrol shifts, 255 reportable activities & 235 property checks.

Town Clerk:

- Total State, County and Local Revenues: \$ 24,613.00
- Total Local Shares Remitted: \$ 24,533.31
- Total collected 2022 Town & County tax: \$7,782,810.47

Supervisor's Report:

- Deposits: \$ 184,980.71
- Disbursements: \$ 357,050.20
- Water District Flushing is being scheduled to take place May 3 - 4th.
- Road work presently underway on Finkle Road in preparation for improvements.
- Main WWTP Pump Station shutoff valve replaced, important upgrade with excellent project coordination by WWTP staff.

New Business:

- Resolution to update the Town of Bolton 406- Code of Ethics Policy in the Employee Handbook under **Standards of Conduct**.

RESOLUTION #93

Councilmember MacEwan moved, seconded by Councilmember Murnane to update the Town of Bolton 406- Code of Ethics Policy in the Employee Handbook after the 10 day mandatory publication required by law under **Standards of Conduct** as follows:

SECTION 3

Standards of Conduct. Every Officer or employee of the Town of Bolton shall be subject to and abide by the following standards of conduct:

(a) Gifts. He or she shall not, directly or indirectly, solicit any gift; or accept or receive any gift having value of twenty-five dollars or more, whether in the form of money, services, loan, travel, entertainment, hospitality, thing or promise, or any other form, under circumstances in which it could reasonably be inferred that the gift was intended to influence him or her, or could reasonably be expected to influence him or her, in the performance of their official duties or was intended as a reward for any official action on their part.

(b) Confidential Information. He or she shall not disclose confidential information acquired by him in the course of their official duties or use such information to further their personal interest.

(c) Representation before one's own agency. He or she shall not receive, or enter into any agreement, express or implied for compensation for services to be rendered in relation to any matter before any municipal agency of which he or she is an officer, member or employee or of any municipal agency over which he or she has jurisdiction or to which he or she has the power to appoint any member, officer or employee. This section shall prohibit the appearance or representation on behalf of any client or customer before any Board of the Town of Bolton by an officer or employee except where such appearance or representation is: 1. in the discharge of his or her official duties for the Town of Bolton; or 2. the substantive subject matter of the appearance or representation is the officer or employee's personal interest."

(d) Representation before any agency for a contingent fee. He or she shall not receive, or enter into any agreement, express or implied for compensation for services to be rendered in relation to any matter before any agency of their municipality, whereby their compensation is to be dependent or contingent upon any action by such agency with respect to such matter, provided that this paragraph shall not

prohibit the fixing at any time of fees based upon the reasonable value of the services rendered.

(e) Disclosure of interest in legislation, To the extent that he or she knows thereof, a member of the Town Board and any officer or employee of the Town of Bolton, whether paid or unpaid who participates in the discussion or gives official opinion to the Town Board on any legislation before the Town Board shall publicly disclose on the official record the nature and extent of any direct or indirect financial or other private interest he or she has in such legislation.

(f) Disclosure of interest in certain applications. A member of the Town Planning Board and any officer or employee of the Town of Bolton, whether paid or unpaid, who participates in the discussion or gives official opinions to the Planning Board on any application for review before the Planning Board shall publicly disclose on the official record the nature and extent of any direct or indirect financial or other private interest he or she has in such application.

(g) Disclosure of employment of relatives. No person who is related by blood or marriage to a public officer or department head of the Town of Bolton shall be employed by said public officer or department head before publicly disclosing the name, relationship and proposed employment to the Town Board and upon consent of a majority of said Board at a duly held meeting thereof.

(h) Investments in conflict with official duties. He or she shall not invest or hold any investment directly or indirectly in any financial, business, commercial or other private transaction, which creates a conflict with their official duties.

(i) Private employment. He or she shall not engage in, solicit, negotiate for or promise to accept private employment or render services for private interests when such employment or service creates a conflict with or impairs the proper discharge of their official duties.

(j) Future employment. He or she shall not, after the termination of service or employment with the Town of Bolton appear before any board or agency of the Town of Bolton in relation to any case, proceeding or application in which he personally participated during the period of their service or employment, or which was under their active consideration.

All in Favor. Motion Carried.

- Resolution to authorize an additional \$7,000 to the LGPC for Invasive Species Program from Occupancy Tax funds.

Supervisor Conover stated that the costs were rising and they asked for the \$7,000 increase.

RESOLUTION #94

Councilmember Cleavland moved, seconded by Councilmember MacEwan authorize an additional \$7,000 to the LGPC for Invasive Species Program from Occupancy Tax funds. **All in Favor. Motion Carried.**

- Resolution to authorize the mailing of the 2021 Water Quality report with the April 2022 billing.

RESOLUTION #95

Councilmember MacEwan moved, seconded by Councilmember Murnane to authorize the mailing of the 2021 Water Quality report with the April 2022 billing. **All in Favor. Motion Carried.**

- Resolution to authorize the Supervisor to accept change order #13 for the continuation of the zoning update with the LA Group in an amount not to exceed \$10,000.

Councilmember Wilson said they were getting very close and they had a meeting scheduled for the end of the month.

RESOLUTION #96

Councilmember Wilson moved, seconded by Councilmember Cleavland to accept change order #13 for the continuation of the zoning update with the LA Group in an amount not to exceed \$10,000. **All in Favor. Motion Carried.**

- Resolution to authorize a Public Hearing to be set to consider amending ordinance #40, entitled **REGULATING PARKING WITHIN THE TOWN OF BOLTON** at the regularly scheduled 6:00 pm, May 3, 2022 Town Board meeting.

Supervisor Conover stated this would deal with 2 separate areas. One on Stewart Ave. and the other on Horicon Ave.

RESOLUTION #97

Councilmember Cleavland moved, seconded by Councilmember MacEwan to authorize a Public Hearing to be set to consider amending ordinance #40, entitled **REGULATING PARKING WITHIN THE TOWN OF BOLTON** at the regularly scheduled 6:00 pm, May 3, 2022 Town Board meeting. **All in Favor. Motion Carried.**

RESOLUTION #98

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

TRANSFERS FOR APRIL 2022

To	From	Amount
<u>GENERAL:</u>		
3120.2 Police/Constable EQ	3120.1 Police/Constable PS	\$17,211.00
<u>HIGHWAY:</u>		
5142.4 Snow Removal CE	5142.1 Snow Removal PS	\$9,117.00
<u>SEWER:</u>		
1950.4 Judgments & Claims	1440.4 Professional Svcs	\$1,000.00
8120.4 Sanitary Sewers	8130.4 Treatment/Disposal	\$15,000.00

RESOLUTION #99

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

Abstract 3A

General	398-440	7,090.61
Sewer	81-90	3,907.99
Water	71-74	1,397.32
St Lights	9-12	1,053.02

Abstract 4

General	304-397 441-477	86,930.86
Highway	65-113	91,862.33
Sewer	62-80 91-94	13,602.04
Water	47-70 75-83	23,922.28

B&G Building Project	3	2,815.00
St Lights	13	2,652.77
Tourism	2-3	24,304.43
Sewer EPG Infiltration Project	1-2	280.00
Sewer Improve	5-6	1,270.00

Adjourn

RESOLUTION #100

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

Meeting Closed: 6:17 PM

Minutes respectfully submitted by:

Jodi Petteys
Town Clerk

Katie Persons
Minute Taker