

REGULAR MEETING
BOLTON TOWN
BOARD

July 5, 2022

Regular Meeting:

Supervisor: Ronald Conover
Councilmember: Robert MacEwan (Absent)
Councilmember: Brendan Murnane (Absent)
Councilmember: Wanda P. Cleavland
Councilmember: Susan Wilson
Town Clerk: Jodi Petteys
Counsel: Brian Reichenbach
Acting Director of Planning & Zoning: Josh Westfall

Meeting Call to Order: 6:00PM.

Pledge: Supervisor Conover

Minutes:

- Approve the June 7, 2022 regular Town Board Meeting Minutes.

RESOLUTION #145

Councilmember Wilson moved, seconded by Councilmember Cleavland to approve June 7, 2022 Regular Town Board Meeting Minutes. **All in Favor. Motion Carried.**

PUBLIC HEARINGS:

SEPTIC VARIANCE: S22-18. Jacobi Point Owners (Applicant) seek the following variance(s) per Ordinance 36 of Bolton Town Code: Setback from Lake George; the applicant seeks relief from the setback requirement between the lake and the septic disposal field. The required setback is 100 ft, the existing disposal field to remain is 30 ft from Lake George (estimated); therefore, the relief sought is 70 ft. Property Address: 51 Jacobi Point Road. SBL: 171. 08-1-1. Owner: Jacobi Point Owners.

This application has been Tabled

Bolton Town Board Minutes
July 5, 2022

SEPTIC VARIANCE - S22-19. Matthew Syska (Applicant) seeks the following variance(s) per Ordinance 36 of Bolton Town Code: Relief requested from the following horizontal separation distance requirements for the installation of the replacement absorption field are:

- Absorption Field to House Structure: Required: 20'; Proposed 15'. Applicant seeks 5' relief
 - Absorption Field to Garage Structure: Required: 20 ft; Proposed 5 ft. Applicant seeks 15' relief
 - Absorption Field to Well: Required 100 ft; Proposed 91 ft. Applicant seeks 9' relief
- Property Address: 1 Nellie Ln. SBL: 185.19-1-22. Owner: Matthew Syska.

This application has been Tabled

PUBLIC HEARING:

- Resolution for a sound amplification permit for Edward Corcoran Jr. for the Great Magua on August 6, 2022 from Noon until Midnight – location 260 S. Trout Lake Rd.

RESOLUTION #146

Councilmember Cleavland moved, seconded by Councilmember Wilson to close the Public Hearing. **All in Favor. Motion Carried.**

Councilmember Wilson stated this event occurs every year with no issues.

RESOLUTION #147

Councilmember Wilson moved, seconded by Councilmember Cleavland to approve outdoor sound amplification permit by Edward Corcoran Jr. for live outdoor music during the Great Magua event on August 6, 2022, Noon to Midnight at 260 South Trout Lake Road. **All in Favor. Motion Carried.**

- Resolution for sound amplification permit for Kris Gage for September 10, 2022 (rain date 9/11/22) from 2PM to 8PM - location 26 Sawmill Lane.

RESOLUTION #148

Councilmember Cleavland moved, seconded by Councilmember Wilson to close the Public Hearing. **All in Favor. Motion Carried.**

Councilmember Wilson stated this was also an annual event and they have never had any issues.

RESOLUTION #149

Councilmember Wilson moved, seconded by Councilmember Cleavland to approve an outdoor sound amplification permit for Kris Gage for live outdoor music on September 10 or September 11 (rain date), 2022 from 2PM to 8PM at 26 Sawmill Lane. **All in Favor. Motion Carried.**

Public in Attendance:

Keith Mallison of 28 Heritage Village Road requested that the town increase the removal of the waste from the wastewater treatment plant from bi-weekly to 4 times a week. Supervisor Conover stated that they would not have a problem with this, but they would need to see if this was feasible with the system. He stated he would speak to the licensed operators to see what they suggest. Mr. Mallison asked about putting a dome on the tank with a fan to contain the odor. Supervisor Conover stated it was something they could have the engineers look at and see if it was feasible. Supervisor Conover stated that the odor is much better than it used to be, but it is a sewage treatment plant, and they definitely have odors. The plant's been there a long time and they are interested in doing anything reasonable that they can do.

Mr. Mallison also spoke on the following topics:

- Grants to update the plant. *Supervisor Conover stated that the town is always looking for grants to help with this, but it is a very small district, and they would need to receive a grant that would pay for the lion's share.*
- Natural gas lines. *Supervisor Conover stated he had not heard anything new on this subject in quite some time.*
- Dredging of Dula Pond. *Supervisor Conover stated that it was something the homeowners could look into, he explained that the project would be much less expensive to them if the Town was not involved due to all the requirements and regulations the town would need to meet.*
- Skating on Dula Pond or elsewhere. *Supervisor Conover stated they are open to a skating area and would be open to them coming in and discussing a viable plan and place to create a rink.*
- Bringing the bed races back. *Supervisor Conover stated that they did have them once at the Community Center, but that was something they could bring up with the Recreation Department. Closing down 9N is not really feasible.*

John Gaddy spoke on the following:

- A little Historical background although he had skated on Dula in years past it was never maintained. He thinks the Conservation Club would be a good access, but he questions the number of skaters it would handle.

- In terms of the Bed Races, he had raced in them in the past, and it was an interesting idea at that time when Bolton was in a different era, but Bolton has transitioned, and he would not recommend bringing them back to 9N.
- The smell of the sewage plant is something that is a factor of living next to the plant, but he wants them to understand that the plant was built many years ago on flat land up on the hill and this creates a convection curve with the lake which circulates the odor down to them. It is a matter of physics, and the town has always been working on ways to lessen the smell. The odor is much better than it used to be.

Correspondence:

- Ed Scheiber regarding Antique & Classic Boat Show.
- Louise Marwill regarding Basin Bay Fireworks flyer.
- Sembrich invitation to inauguration and ribbon cutting.
- Highmark Northeastern New York notice of proposed premium rate change.
- NYS Agricultura and Markets Municipal Shelter Inspection Report & Dog Control Officer Inspection Report.
- Andrew J. Campanelli Esq., pertaining to updating local zoning ordinances.
- MVP notice of proposed premium rate changes.
- CDPH notice of proposed premium rate changes.
- Santore Fireworks.

Committee Reports:

Councilmember Rob MacEwan (Absent)

Highway:

Justice Court:

Transfer Station:

EMS:

Councilmember Brendan Murnane (Absent)

Library:

Assessor:

Wastewater:

Water:

Councilmember Susan Wilson

Planning / Zoning:

- The Planning Office for the month of May collected fees in the amount of \$5,410.00 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:

- 33 patrol shifts, 187 reportable activities & 137 property checks.

Town Clerk:

- Total State, County & Local Revenue: \$24,323.00
- Total Local Shares Remitted: \$23,326.00
- Total Non-Local Revenues: \$ 996.55

- Total Resident Clean-Up Cards Issued: 1022
- Receiving Credit Card Payments at the Transfer Station is well utilized, and it's a great service option for our residents.

Supervisor's Report:

- Deposits: \$ 365,038.42
- Disbursements: \$ 529,469.69
- 4th of July, very busy, people loved the celebration at Rogers Park.
- Weather permitting paving should begin on Finkle Road by mid-week.
- Bids received on the new Building and Grounds Building; consultant recommends award.
- CFA application being prepared for phase 2 at Veterans Park.
- Pickle Ball Courts at Rogers big hit, very busy.
- Lifeguards and Seasonal Park help increasingly difficult to attract. *It has been a couple of years since the town has been able to keep the beaches open through Labor Day due to the shortage.*
- Continuing pressure issues with municipal water system.

New Business:

- Resolution to schedule a public hearing for consideration of proposed ordinance #48 entitled REGULATING EBIKES IN THE TOWN OF BOLTON.

RESOLUTION #150

Councilmember Wilson moved, seconded by Councilmember Cleavland to schedule a public hearing for consideration of proposed ordinance #48 entitled REGULATING EBIKES IN THE TOWN OF BOLTON as follows:

WHEREAS, the Town Board would like to allow class one and class two bicycles with electric assist to operate everywhere within the Town of Bolton that bicycles without electric assist are legally allowed including roads with speed limits over 30 miles per hour; and

WHEREAS, the New York State Vehicle and Traffic Law authorizes the Town Board to further regulate the time, place, and manner of the operation of bicycles with electric assist by Ordinance; and

WHEREAS, proposed Ordinance #48 has been prepared which would accomplish this; and

WHEREAS, under New York State Town Law Section 130, no Ordinance may be passed until a Public Hearing has been held;

NOW, THEREFORE, BE IT

RESOLVED, that the Bolton Town Board shall meet and hold a public hearing at the Town Hall, 4949 Lake Shore Drive, Bolton at 6:00 p.m. on Tuesday, August 2, 2022, to consider proposed Ordinance #48 and to hear all interested persons, and at that time may take any other actions authorized by law concerning proposed Ordinance #48; and

BE IT FURTHER,

RESOLVED, that the Town Board authorizes and directs the Bolton Town Clerk to publish and post a Notice of Public Hearing concerning proposed Ordinance #48 in the manner provided by law. **All in Favor. Motion Carried.**

- Resolution to update the utilization of personal vehicle for authorized travel beginning July 1, 2022 as determined by the Internal Revenue Service, to a rate of 62.5 cents per mile.

RESOLUTION #151

Councilmember Cleavland moved, seconded by Councilmember Wilson to update the utilization of personal vehicle for authorized travel beginning July 1, 2022 as determined by the Internal Revenue Service, to a rate of 62.5 cents per mile. **All in Favor. Motion Carried.**

- Resolution to approve the use of the town docks in Rogers Park by the Antique & Classic Boat Show on Friday, August 26, 2022 from 9AM to Noon.

Ed Scheiber stated they would like to utilize the docks and pier for the show. He also wanted to know if they could place a boat on 9N advertising the event near the park. He stated the event would be insured by ACBS. Supervisor Conover stated they would have no issue with the use of the dock and pier, but they would not likely approve the parking of a boat on 9N as the space was so limited. They would approve the placement of a sign to advertise the event at the opening of Rogers Park and 9N.

RESOLUTION #152

Councilmember Wilson moved, seconded by Councilmember Cleavland to approve the use of the town docks in Rogers Park by the Antique & Classic Boat Show on Friday, August 26, 2022 from 9AM to Noon. **All in Favor. Motion Carried.**

- Resolution to increase the temporary summer seasonal laborers rate of pay to \$18.00 per hour starting June 27, 2022.

RESOLUTION #153

Councilmember Cleavland moved, seconded by Councilmember Wilson to increase the temporary summer seasonal laborers rate of pay to \$18.00 per hour starting June 27, 2022. **All in Favor. Motion Carried.**

- Resolution to increase the park attendants' rate of pay to \$16.00 per hour and lead attendant to \$17.00 per hour starting June 27, 2022.

RESOLUTION #154

Councilmember Wilson moved, seconded by Councilmember Cleavland to increase the park attendants' rate of pay to \$16.00 per hour and lead attendant to \$17.00 per hour starting June 27, 2022. **All in Favor. Motion Carried.**

- Resolution to authorize the Acting Director of Planning and Zoning to search, review and conduct interview processes for a part-time Code Enforcement Officer to meet the needs of the Planning and Zoning Office.

Councilmember Wilson stated this was a much-needed position in the Planning Office.

RESOLUTION #155

Councilmember Wilson moved, seconded by Councilmember Cleavland to authorize the Acting Director of Planning and Zoning to search, review and conduct interview processes for a part-time Code Enforcement Officer to meet the needs of the Planning and Zoning Office. **All in Favor. Motion Carried.**

- Resolution to increase the Bookkeeper cell phone reimbursement to \$75.00 per month.

RESOLUTION #156

Councilmember Cleavland moved, seconded by Councilmember Wilson to increase the Bookkeeper's cell phone reimbursement to \$75.00 per month. **All in Favor. Motion Carried.**

- Resolution to authorize The Town of Bolton to apply to New York State for a grant in the amount of \$1,725,000 for the Veterans Memorial Park Phase 2 Improvements: Visitor and Access Enhancement in the Town of Bolton through the NYS Department of State Local Waterfront Revitalization Program (LWRP) in the 2022 CFA funding round and authorizing a match up to \$575,000.

RESOLUTION #157

Councilmember Cleavland moved, seconded by Councilmember Wilson to authorizing the Town of Bolton to apply to New York State for a grant in the amount of \$1,725,000 for the Veterans Memorial Park Phase 2 Improvements: Visitor and Access Enhancement in the Town of Bolton through the NYS Department of State Local Waterfront Revitalization Program (LWRP) in the 2022 CFA funding round:

WHEREAS, the Town of Bolton is applying to New York State for a grant in the amount of \$1,725,000 for the Veterans Memorial Park Phase 2 Improvements: Lake Access and Waterfront Recreational Facility Project (the Project) in the Town of Bolton through the NYS Department of State LWRP in the 2022 CFA funding round; and

WHEREAS, the Project will implement the second phase of the Veterans Memorial Park Master Plan and consists of the following program elements: Construction of a recreation building for year-round utilization by residents and visitors alike, and improved off-road access from the Bolton Landing hamlet to the waterfront at Veterans Park. As per the referenced Park Master Plan, the new building will be situated next to, and structurally connect with the open-air pavilion (approved as part of Phase 1 in the 2021 CFA round); and stormwater management improvements for the continued and ongoing water quality protection of Lake George; and

WHEREAS, the grant application requires the applicant municipality to obtain the endorsement of the governing body of the municipality in which the Project will be located;

NOW LET IT BE RESOLVED, that the Bolton Town Board hereby does approve and endorse the submittal of the application for a grant under NYS Department of State Local Waterfront Revitalization Program for a project known as Veterans Memorial Park Phase 2 Improvements: Lake Access and Waterfront Recreational Facility Project, located within this community, and agrees to provide the minimum required 25 percent match up to \$575,000. **All in Favor. Motion Carried.**

- Resolution authorizing the Town Board to Solicit Bids related to the Museum Roof Replacement.

RESOLUTION #158

Councilmember Wilson moved, seconded by Councilmember Cleavland to authorizing the Town Board to Solicit Bids related to the Museum Roof Replacement as follows:

WHEREAS, the Town of Bolton Museum, operated by the Bolton Historical Society, is an asset to the community, is an imperative feature of the Bolton Landing hamlets main street, and an

important community facility serving all in Bolton and this region of the Adirondacks, and

WHEREAS, based on a qualified assessment, the Museum facility is in need of a complete roof replacement in order to protect and modernize the building, allow for more efficient climate controls, and to protect numerous ephemera, artifacts and exhibits housed within, and

WHEREAS, to protect this community facility, the Town of Bolton Town Board will seek to cause capital improvements to the structure in the form of roof replacement later this year. Now let it be

RESOLVED, that the Bolton Town Board is hereby authorized, with the assistance of Nina Oldenquist, AIA, to solicit bids from qualified individuals and/or firms related to the reconstruction of the Bolton Museum's roof with minor carpentry improvements, painting and re-staining work, with bid solicitation beginning Wednesday July 6, 2022 and to end July 22, 2022. Now let it be

FURTHER RESOLVED, that the Town Supervisor may enter into any contracts with qualified individuals and/or firms related to said work at the Bolton Museum in accordance with the specifications developed by Nina Oldenquist, AIA, available for public inspection at the Bolton Town Clerk's Office. **All in Favor. Motion Carried.**

- Resolution To Award Contracts for The Construction and Commissioning of the Town's Building and Grounds Facility – General Construction, Electrical Construction and Plumbing/HVAC Construction. Kathleen Suozzo, P.E. has reviewed the material submitted by the lowest qualified bidder and recommends they be awarded the contract on the basis that they are qualified to perform the work, their bid was the low bid of record, and the bid was complete.

RESOLUTION #159

Councilmember Cleavland moved, seconded by Councilmember Wilson to award the Contracts for The Construction and Commissioning of the Town's Building and Grounds Facility – General Construction, Electrical Construction and Plumbing/HVAC Construction. Kathleen Suozzo, P.E. has reviewed the material submitted by the lowest qualified bidder and recommends they be awarded the contract on the basis that they are qualified to perform the work, their bid was the low bid of record, and the bid was complete as follows:

WHEREAS, the Town of Bolton solicited bids for the construction and commissioning of a new Building and Grounds Facility, pursuant to plans and specifications as provided by KSPE, PLLC, and

WHEREAS, on June 30, 2022, bids were received and opened by the Town's Deputy Clerk, and

WHEREAS, the bids and bid documents were reviewed by the design engineer and found to be compliant with the Project Documents; and the design engineer provided a letter of recommendation for award of the three (3) construction contracts, with a combined cost of \$1,862,117:

- General Construction – Rozell Industries, Queensbury, NY \$1,266,469
- Electrical Construction – Stilsing Electric, Rensselaer, NY \$204,668
- P/HVAC Construction – Stants Capital Combustion, Latham, NY \$390,980

NOW, THEREFORE BE IT RESOLVED, as follows:

WHEREAS, the above-referenced Contractors have provided the requisite bids and bid documentation and can provide the professionalism to complete their respective work tasks, and have provided satisfactory references for other similar projects, and

NOW AND BE IT FURTHER RESOLVED that the Town Board award the three (3) construction contracts to the Contractors named above. **All in Favor. Motion Carried.**

Public in Attendance:

RESOLUTION #160

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

TRANSFERS FOR JULY 2022

To	From	Amount
<u>GENERAL:</u>		
1620.2 Buildings/Grounds EQ	1620.4 Buildings/Grounds CE	\$530.00
3120.2 Police/Constables EQ	3120.1 Police/Constables PS	\$1,399.00
8510.4 Community Beautification	1990.4 Contingency	\$2,468.00

WATER:

8310.4 Administration CE	1990.4 Contingency	\$2,500.00
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SEWER:

8110.2 Sewer Administration EQ	8110.4 Sewer Administration CE	\$1,972.00
8120.4 Sanitary Sewers CE	8110.4 Administration CE	\$12,000.00

ADDITIONAL TRANSFERS:

\$480,000.00 to be transferred to Veterans Park Capital Projects account from Rogers Park Capital Projects account.

Pay the Bills:

RESOLUTION #161

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

Abstract 6A

General	910-947	3,393.25
Sewer	175-181	2,701.70
Water	146-149	1,513.43
St Lights	24-26	48.52

Abstract 7

General	819-909 948-998	239,099.96
Highway	188-224	72,588.55
Sewer	164-172 182-192	25,087.54
Water	138-145 150-159	12,377.35
B&G Building Project	6	1,370.00
St Lights	27-28	1,712.87
Tourism	25-33	28,372.42
Sewer EPG Infiltration Project	5	290.00
Water Improve	1	1,516.00
Vets Park Enhance Project	1	693.86

Adjourn:

RESOLUTION #162

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

Meeting Adjourned: 6:52 PM

Minutes respectfully submitted by:

Jodi Petteys
Town Clerk

Katie Persons
Minute Taker