

REGULAR MEETING
BOLTON TOWN BOARD

December 6, 2022

Regular Meeting:

Supervisor: Ronald Conover
Councilman: Robert MacEwan (Absent)
Councilman: Brendan Murnane
Councilmember: Wanda P. Cleavland
Councilmember: Susan Wilson
Town Clerk: Jodi Petteys
Counsel: Atty. Brian Reichenbach

Meeting Call to Order: 6:00PM.

Pledge: Councilmember Cleavland

Minutes:

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

RESOLUTION #247

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

PUBLIC HEARING:

Public Hearing to consider the enactment of Local Law #1 of 2022 “REQUIRING PRIOR WRITTEN NOTICE OF DEFECTS IN THE TOWN OF BOLTON”.

- Resolution to close the Public Hearing for Local Law #1 of 2022.

RESOLUTION #248

Councilmember Cleavland moved, seconded by Councilmember Murnane to close the Public Hearing regarding Local Law #1 of 2022. **All in Favor. Motion Carried.**

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

RESOLUTION #249

Councilmember Cleavland moved, seconded by Councilmember Murnane to declare the Bolton Town Board as Lead Agency under SEQRA for the proposed enactment of Local Law #1 of 2022 “REQUIRING PRIOR WRITTEN NOTICE OF DEFECTS IN THE TOWN OF BOLTON”. **All in Favor. Motion Carried.**

- Resolution regarding SEQRA & LWRP determinations.

SEQRA

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
3. Do the Board Members agree that this project will result in no adverse impacts on the environment; and therefore, an environmental impact statement need not be prepared? Yes

LWRP

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

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 #250

Councilmember Wilson moved, seconded by Councilmember Cleavland to make a negative declaration with regard to SEQRA & LWRP for the proposed enactment of Local Law #1 of 2022 “REQUIRING PRIOR WRITTEN NOTICE OF DEFECTS IN THE TOWN OF BOLTON”. **All in Favor. Motion Carried.**

- Resolution to adopt Local Law # 1 of 2022.

RESOLUTION #251

Councilmember Wilson moved, seconded by Councilmember Cleavland having declared the Bolton Town Board 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, make a motion to approve Local Law #1 of 2022 “REQUIRING PRIOR WRITTEN NOTICE OF DEFECTS IN THE TOWN OF BOLTON” as follows:

Be it enacted by the Bolton Town Board as follows:

Section 1. Authority – This Local Law is adopted pursuant to New York Municipal Home Rule Law and New York Town Law.

Section 1. Written Notification Requirement

A. No civil action shall be maintained against the Town of Bolton or the Town Highway Superintendent for damages or injuries to person or property sustained by reason of any street, highway, bridge, culvert, sidewalk or crosswalk being defective, out of repair, unsafe, dangerous or obstructed unless written notice of such defective, unsafe, dangerous, or obstructed condition of such street, highway, bridge, culvert, sidewalk or crosswalk was actually given to the Town Clerk or Highway Superintendent and that there was a failure or neglect to repair or remove the defect, danger or obstruction complained of within a reasonable time after the giving of such notice. No such action shall be maintained for damages or injuries to person or property sustained solely in consequence of the existence of snow or ice upon any street, highway, bridge, culvert, sidewalk or crosswalk, unless written notice thereof, specifying the particular place, was actually given to the Town Clerk or Highway Superintendent and there was a failure or neglect to cause such snow or ice to be removed or to make the place otherwise reasonably safe within a reasonable time after the receipt of such notice.

B. The Town Highway Superintendent shall transmit in writing to the Town Clerk all written notices received pursuant to this Local Law within ten days after receipt. The Town Clerk shall maintain a record of such notices as required by subsection 4 of New York Town Law Section 65-a.

Section 3. Severability – The invalidity of any clause, sentence, paragraph or provision of this Local Law shall not invalidate any other clause, sentence, paragraph or part hereof.

Section 4. Repealer; Supersession – All Local Laws, Ordinances or Resolutions or parts of Local Laws, Ordinances or Resolutions in conflict with any part of this Local Law are hereby repealed. This Local Law shall specifically supersede Subdivision 1 of Section 65-a of the Town Law in its application to the Town of Bolton and shall constitute the requirement of notice referred to in General Municipal Law Section 50-e[4].

Section 5. Effective Date – This Local Law shall take effect upon filing in the office of the New York State Secretary of State. **All in Favor. Motion Carried.**

Public in Attendance:

Correspondence:

- LGLC regarding 2023 grants.
- Northern Forest Center Brochure.
- Federal Energy Regulatory Commission regarding Warrensburg Hydroelectric project.
- North Country Wild Care newsletter.
- St. Catherine’s Center for the Children invitation.
- Village of Lake George regarding new Wastewater Treatment Plant.
- A.P.A. regarding project 2022-0190.

Councilmember Rob MacEwan:

The following reports were submitted but not read at meeting

Highway:

N/A

Justice Court:

- During the month of November 2022, Justice Edward G. White collected \$3,243.00 in funds (check to Town of Bolton # 557) and Justice Joe Connally collected \$2,647.00 (check to Town of Bolton # 558). Total monies forwarded to the Town of Bolton amounted to \$5,881.00. Itemized lists are available in the Court should anyone desire to look them over.

Transfer Station:

- Total for the month \$ 5,039.00
- Clean up Cards \$ 3,876.00

Emergency Squad:

- Calls: 30 (including 4 mutual aid calls). 10 calls were billable as there were a number of patient evaluations with refusals to be transported to the hospital or mutual aid calls cancelled while enroute.
- Gross Charges Billed in October: \$ 17,935.60
- Gross Charges Billed Year to Date: \$ 332,621.33
- Payments Received in October: \$ 15,561.15
- Payments Received Year To Date: \$ 157,083.85

- In 2021 we had billed \$278,550.00 and received payments of \$124,730.28 thru October, 2021.
- Payroll expenses thru this October were \$326,158.04 versus \$279,268.57 in 2021. The increase in payroll expenses in 2022 is largely due to increased overtime due to the inability to attract and hire an additional paramedic as well as the medical insurance cost for three full time employees.
- The budget for the newly created Bolton Ambulance District, with which Bolton EMS will contract in 2023 for an amount of \$442,940.00, was approved by the Bolton Town Board. Our overall projected 2023 budgeted expenses are 622,990.00.

Councilmember Brendan Murnane

Wastewater:

- Total flow for the month 3,651,996 gallons for a daily average of 122,000 gallons.
- Casella hauled 16,000 gallons of sludge.
- Matt has assisted water dept. with various projects at the plant and distribution system.
- Cleaned several lines around town before winter comes.
- Water dept. assisted with cleaning tanks and buildings around sewer plant for annual inspection.
- Jack hall serviced the boiler for annual cleaning.
- We have had several grant meetings to go over projects at sewer plant and the pump stations.
- On 11/7 Matt received a phone call from Heidi Brickner about sewer coming from a pipe near the house. The gravity line from Sagamore Road to Norowal Road was plugged. Jetted line and cleaned up spill. Roughly 30 gallons of sewer was on ground. NY ALERT was filed.
- Matt has assisted parks dept. with plowing roads during several snowstorms.
- Maintained the grounds around sewer plant and pump stations before winter.

Water:

- The total flow for the month of November is 4,524,660, averaging 150,822 gallons a day.
- Disinfection byproduct testing which is requested quarterly.
- 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.
- 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.
- Prepared for the emergency sub pump project.
- Prepared trucks for winter.
- George worked on the drying beds and cleaned out the majority of the sludge.
- Responded to several dig safe requests.
- 11/1/22 fixed a leak at 23 Sweet Briar View.
- 11/7/22 Jack Hall serviced our furnace.
- 11/12/22 Patrick and Dustin took and passed the Civil Service exam.
- 11/17/22 Aqua Logics installed a level transducer, and the sub pump was installed.

Assessor:

N/A

Councilmember Susan Wilson

Planning / Zoning:

- The Planning Office for the month of September collected fees in the amount of \$604.00 for various items including Certificates of Compliance, Variances, Site Plan Reviews, Stormwater Permits and After the Fact Fees.

Library:

N/A

Councilmember Wanda Cleavland

Police:

- 34 patrol shifts, 186 reportable activities & 144 property checks. Our work is continuing with the Town of Bolton Code Enforcement Officer on areas of mutual concern that effect public health and safety.
- On 11/18/2022 the Bolton Central School kindergarten class toured the police department and our police vehicles. It is always a great time when we can interact with BCS students.
- On Saturday 11/19/2022 the police department provided security and traffic support for the Bolton Central School PTO annual Turkey Trot.
- On 11/23/2022 members of our police department met with Assistant District Attorney Ann Vondrak to discuss areas of mutual concern. Special thanks to ADA Vondrak and the Warren County District Attorney's Office for their continued support.
- The police department participated in a second Bolton Central School lock down drill on 11/29/2022 along with the Warren County Sheriff's Office, and the New York State Police. These drills are crucial for the protection of students, staff members, and first responders.
- We met with the Laberge Group to discuss funding sources for Body Worn Cameras and Electronic Arrest Processing equipment (Livescan technology).
- MED Project NY will be at Town Hall on 12/09/2022 at 1:30pm to install the medication disposal kiosk that will be permanently secured in the hall near the court and meeting room entrance. The kiosk is of steel construction and is tamper resistant.
- The Healing Springs Recovery Center of Saratoga Springs conducted a Narcan training event at the Town Hall on 11/04/2022 for Town of Bolton employees and Bolton Central School staff. The event was well attended. The police department sponsored the event and is planning an additional training in January 2023 for members of our community.

Town Clerk:

- Total State, County & Local Revenues: \$ 10,420.25
- Total Local Shares Remitted: \$ 10,216.61
- Total Non-Local Revenues: \$ 203.64

Recreation:

Recreation Center Monthly Attendance Totals

	2022-23	2021-22	2019- 2020
Total # of BCS Students	178	167	201
January	66	164	247
Feb	78	102	165
March	175	130	149 Closed 3/14 COVID
April	118	45	Closed COVID
May	121	76	Closed COVID
June	33	61	Closed COVID
July	Closed	Closed	Closed

Aug	Closed	Closed	Closed
Sept	78	83	83 reopened 9/14/20
Oct	148	86	140
Nov	171	149	158
December			83

Christmas Tree Lighting-

The Recreation Department absorbed this event in 2019. This year the event was held on December 4th from 2-4. The event saw between 75-90 people in attendance for the hayrides, snacks, and lighting of the town tree. 70 participants enjoyed “The Christmas Carol” puppet show, which we were able to host in The Bolton Historical Museum this year! Many thanks to Glen Long and Erin Fowler for allowing use of the space. A thank you to Doug Wholley and Mike Huck for always providing safe hayrides, The Sagamore Resort for the donation of chocolate chip and sugar cookies, Bolton Community Church for the hot chocolate and coffee station, as well as Stewarts for the donuts and eggnog. The Bolton Free Library gifted over 60 books and bears to the children in attendance. Thank you, Mike Huck, for decorating the Town Tree.

Thank you to the Parks Department for hanging the garlands and snowflakes. Various decorations may be enjoyed at the main entrance to Town, on the pier, near the Museum and Chamber of Commerce, as well as at the Town Hall.

1. Winter Programs

A. Gore Regional School Program- 18 participants have signed up this year for the Gore Regional School Program, up from 12 in 2021.

Supervisor’s Report:

- Deposits: \$ 2,003,015.02
- Disbursements: \$ 777,869.27
- Water backup pump successfully installed, much thanks to all that made this happen.
- Christmas Tree lighting was a wonderful event, big thanks to all who make Bolton so festive during the holidays.
- Bolton Museum Church roof improvement project completed, big improvement for the building looks terrific.

New Business:

- Resolution to authorize the Supervisor to enter into an agreement with Continental Utility Solutions, Inc. for utility billing in the amount of \$17,828.00.

Town Clerk, Jodi Petteys explained that this is a much needed upgrade and after much research and looking into different programs, this one most closely fits the Town's needs.

RESOLUTION #252

Councilmember Wilson moved, seconded by Councilmember Cleavland to authorize the Supervisor to enter into an agreement with Continental Utility Solutions, Inc. for utility billing in the amount of \$17,828.00. **All in Favor. Motion Carried.**

- Resolution to authorize the Town Attorney to settle all disputed water bills.

RESOLUTION #253

Councilmember Murnane moved, seconded by Councilmember Cleavland to authorize the Town Attorney to settle all disputed water bills. **All in Favor. Motion Carried.**

- Resolution to authorize the Town Counsel to commence and prosecute code enforcement proceedings in Justice Court against Richard Fortuna and Christopher Fortuna regarding violations of the Stormwater and Erosion Control Law and the Town Zoning Ordinance all at a rate of \$230 per hour plus expenses. To the extent such proceedings have been commenced, the Board ratifies and confirms such actions.

RESOLUTION #254

Councilmember Wilson moved, seconded by Councilmember Cleavland to authorize the Town Counsel to commence and prosecute code enforcement proceedings in Justice Court against Richard Fortuna and Christopher Fortuna regarding violations of the Stormwater and Erosion Control Law and the Town Zoning Ordinance all at a rate of \$230 per hour plus expenses. To the extent such proceedings have been commenced, the Board ratifies and confirms such actions. **All in Favor. Motion Carried.**

- Resolution to authorize the use of the Cross Street parking lot by the Farmers Market for the summer of 2023 every Friday 9am to 2pm from June 23 to September 1, 2023 for a total of 11 weeks. (Approval contingent on insurance provided naming the Town of Bolton as additional insured in such amount and form as approved by the Town Attorney).

RESOLUTION #255

Councilmember Wilson moved, seconded by Councilmember Cleavland to authorize the use of the Cross Street parking lot by the Farmers Market for the summer of 2023 every Friday 9am to 2pm from June 23 to September 1, 2023 for a total of 11 weeks. (Approval contingent on insurance provided naming the Town of Bolton as additional insured in such amount and form as approved by the Town Attorney). **All in Favor. Motion Carried.**

- Resolution to authorize the Supervisor to sign an agreement for 2023 with Hudson Headwaters Health Network for Hepatitis B Vaccination Services for the Town of Bolton at a cost of \$60 for each Hepatitis B Vaccination.

RESOLUTION #256

Councilmember Murnane moved, seconded by Councilmember Wilson to authorize the Supervisor to sign an agreement for 2023 with Hudson Headwaters Health Network for Hepatitis B Vaccination Services for the Town of Bolton at a cost of \$60 for each Hepatitis B Vaccination. **All in Favor. Motion Carried.**

- Resolution to authorize the Supervisor to enter into an agreement with Countryside Veterinary Medical Group for 2023.

RESOLUTION #257

Councilmember Cleavland moved, seconded by Councilmember Wilson to authorize the Supervisor to enter into an agreement with Countryside Veterinary Medical Group for 2023. **All in Favor. Motion Carried.**

- Resolution to ratify the Supervisor to enter into a contract with New York Municipal Insurance Reciprocal (NYMIR) for property and casualty insurance for 2023 at a premium amount not to exceed \$102,434.43.

RESOLUTION #258

Councilmember Cleavland moved, seconded by Councilmember Wilson to ratify the Supervisor to enter into a contract with New York Municipal Insurance Reciprocal (NYMIR) for property and casualty insurance for 2023 at a premium amount not to exceed \$102,434.43. **All in Favor. Motion Carried.**

- Resolution to ratify and approve the continuation of the Town of Bolton 2023 Retiree's Health Insurance Supplemental Plans through Humana.

RESOLUTION #259

Councilmember Murnane moved, seconded by Councilmember Wilson to ratify and approve the continuation of the Town of Bolton 2023 Retiree’s Health Insurance Supplemental Plans through Humana. **All in Favor. Motion Carried.**

- Resolution to authorize the Supervisor to sign a 2023 contract with the City of Glens Falls for Mass Transit in the amount of \$2,158.

RESOLUTION #260

Councilmember Cleavland moved, seconded by Councilmember Murnane authorize the Supervisor to sign a 2023 contract with the City of Glens Falls for Mass Transit in the amount of \$2,158. **All in Favor. Motion Carried.**

- Resolution to appoint Dustin Lewis and Patrick Casey as permanent employees to the Town of Bolton Water District.

RESOLUTION #261

Councilmember Murnane moved, seconded by Councilmember Wilson to appoint Dustin Lewis and Patrick Casey as permanent employees to the Town of Bolton Water District. **All in Favor. Motion Carried.**

- Resolution to authorize the Supervisor to sign the Agreement by and between the Town of Bolton and CSEA Local 1000 AFSCME, AFL-CIO for the Town of Bolton Unit #9011-00 Warren County, Local 857 for the period of January 1, 2023 to December 31, 2025.

RESOLUTION #262

Councilmember Cleavland moved, seconded by Councilmember Wilson to authorize the Supervisor to sign the Agreement by and between the Town of Bolton and CSEA Local 1000 AFSCME, AFL-CIO for the Town of Bolton Unit #9011-00 Warren County, Local 857 for the period of January 1, 2023 to December 31, 2025. **All in Favor. Motion Carried.**

- Resolution to amend Assessor agreement with Town of Horicon as follows:

WHEREAS, pursuant to Agreement between them, the Towns of Horicon and Bolton share the same individual as Town Assessor, and

RESOLVED, that the Town Board approves amendment to the Agreement so that the Assessor is deemed to be solely an employee of the Town of Horicon with the Town of Bolton reimbursing the Town of Horicon for sixty percent (60%) of all salary, benefits and related expenses of employment, and be it further

RESOLVED, that the Town Board requests similar Resolution from the Bolton Town Board so authorizing, and be it further

RESOLVED, that this employment arrangement continue for the term of the Agreement contingent upon continued reimbursement of the Town of Horicon by the Town of Bolton.

RESOLVED, that the Supervisor is hereby authorized to sign the amended Agreement on behalf of the Town of Bolton.

RESOLUTION #263

Councilmember Cleavland moved, seconded by Councilmember Murnane to amend Assessor agreement with Town of Horicon as follows:

WHEREAS, pursuant to Agreement between them, the Towns of Horicon and Bolton share the same individual as Town Assessor, and

RESOLVED, that the Town Board approves amendment to the Agreement so that the Assessor is deemed to be solely an employee of the Town of Horicon with the Town of Bolton reimbursing the Town of Horicon for sixty percent (60%) of all salary, benefits and related expenses of employment, and be it further

RESOLVED, that the Town Board requests similar Resolution from the Bolton Town Board so authorizing, and be it further

RESOLVED, that this employment arrangement continue for the term of the Agreement contingent upon continued reimbursement of the Town of Horicon by the Town of Bolton.

RESOLVED, that the Supervisor is hereby authorized to sign the amended Agreement on behalf of the Town of Bolton. **All in Favor. Motion Carried.**

Public in Attendance:

Megan Baker stated that with the aid of grants and donations the Bolton Free Library has been able to distribute books to over 500 children. She also stated that most of the renovations have been finished at the library.

Zandy Gabriels spoke on the following:

- Public transportation is very critical to the towns and if they need to pay more, they should continue the service.
- Water report shows that the leak has been fixed which is very important.
- It is nice to see that the pond level is back up and he suggested the installation of a measuring system in the pond for easy reading.
- New utility water billing and current system.

RESOLUTION #264

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

ADDITIONAL TRANSFERS FOR NOVEMBER 2022

To	From	Amount
<u>GENERAL:</u>		
7150.4 Spec Facilities/Cons CE	7180.4 Spec Rec Ballfield CE	\$104.00
<u>SEWER:</u>		
8120.4 Sanitary Sewers CE	8110.1 Administration PS	\$3,775.00

TRANSFERS FOR DECEMBER 2022

To	From	Amount
<u>GENERAL:</u>		
1950.4 J & C - Water Bills	4010.4 Board of Health CE	\$170.00
3120.1 Police/Constable PS	5182.4 Street Lighting CE	\$3,190.00
3120.2 Police/Constable EQ	1990.4 Contingency	\$259.00
3120.4 Police/Constable CE	1990.4 Contingency	\$4,827.00
3510.4 Dog/Animal Control CE	1990.4 Contingency	\$38.00
5132.4 Garage CE	5182.4 Street Lighting CE	\$4,199.00
7110.2 Parks EQ	7110.1 Parks PS	\$10,308.00
7150.4 Conservation Club CE	7140.1 Playgrounds/Rec PS	\$152.00
7450.4 Museum CE	Fund Balance	\$372,600.00
8010.2 Zoning/Planning EQ	8010.4 Zoning/Planning CE	\$56.00
9030.8 Social Security/Town Share	9010.8 State Retirement	\$900.00
9060.8 Medical Ins/Town Share	9010.8 State Retirement	\$700.00
<u>HIGHWAY:</u>		
5110.4 General Repairs CE	5112.2 Permanent Imps EQ	\$10,500.00

5110.4 General Repairs CE	5120.4 Bridges/Culverts CE	\$1,678.00
5130.2 Machinery EQ	Fund Balance	\$104,747.00
5130.4 Machinery CE	9060.8 Medical Ins/Town Share	\$13,831.00
5142.1 Snow Removal PS	5110.1 General Repairs PS	\$4,062.00
5142.4 Snow Removal CE	9010.8 State Retirement	\$6,540.00

WATER:

1440.4 Professional Services	9789.7 Loan Payment Int	\$12,524.00
8310.1 Administration PS	9789.7 Loan Payment Int	\$3,592.00
8310.4 Administration CE	9789.7 Loan Payment Int	\$1,750.00
8330.2 Purification EQ	9789.7 Loan Payment Int	\$16,554.00
8330.4 Purification CE	9789.7 Loan Payment Int	\$6,141.00
8340.4 Trans/Dist CE	9789.7 Loan Payment Int	\$4,628.00

SEWER:

8110.4 Administration CE	8110.1 Administration PS	\$3,121.00
8120.4 Sanitary Sewers CE	Fund Balance	\$5,542.00

RESOLUTION #265

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

Abstract 11A

General	1770-1813	116,074.15
Highway	382	44,160.78
Sewer	341-350	14,948.15
Water	277-281	10,072.62
St Lights	48-52	3,242.26

Abstract 12

General	1667-1769 1814-1862	469,558.41
Highway	362-381 383-393	150,908.93
Sewer	318-340 351-353	6,947.35
Water	261-276 282-293	53,268.59
B&G Building Project	11	1,920.00
St Lights	53-54	2,228.30

Tourism

43-46

21,633.60

Executive Session

RESOLUTION #266

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

NO ACTION TAKEN

Meeting Adjourned: 6:44

Minutes respectfully submitted by:

Jodi Petteys
Town Clerk

Katie Persons
Minute Taker