

REGULAR MEETING  
BOLTON TOWN BOARD

March 7, 2023

Regular Meeting:

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

Minutes:

- Approve the February 7, 2023 Town Board Meeting Minutes.

**RESOLUTION #57**

Councilmember Murnane moved, seconded by Councilmember MacEwan to approve the February 7, 2023 Regular Town Board Meeting Minutes. **All in Favor. Motion Carried.**

**PUBLIC HEARINGS:**

Public hearing concerning proposed LOCAL LAW #1 OF 2023 REMOVING THE REAL PROPERTY LAW SECTION 487 EXEMPTION IN THE TOWN OF BOLTON:

**WHEREAS**, the Town Board of the Town of Bolton finds that the NY Real Property Tax Law allows local governments to decide whether the exemption for real property taxes under NYRPTL Section 487 based on solar or wind, farm waste, micro-hydroelectric, fuel cell electric generating, micro-combined heat and power, electric energy storage or fuel flexible linear generator electric power systems shall apply within the local government; and

**WHEREAS**, the Town Board directed that a Public Hearing regarding a proposed Local Law No. 1 of 2023 removing any such exemption for any project commenced after the effective date of the Local Law be scheduled and notice of the Public Hearing be published as required by law; and

**WHEREAS**, the Town Board has reviewed the draft Local Law removing any such exemption commenced after the effective date of the Local Law and considered any comments provided at the Public Hearing, and finds that it would be appropriate and desirable to adopt Local Law No.1 of 2023 as set forth below;

**NOW, THEREFORE, BE IT ENACTED BY THE BOLTON TOWN BOARD:**

**“A LOCAL LAW REMOVING THE REAL PROPERTY TAX LAW SECTION 487  
EXEMPTION IN THE TOWN OF BOLTON**

**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, New York Town Law and New York Real Property Tax Law.

**Section 1. Real Property Tax Law Section 487 Exemption Removal**

A. No exemption under New York Real Property Tax Law section 487 shall be applicable within the Town of Bolton with respect to any solar or wind energy system, farm waste energy system, micro-hydroelectric energy system, fuel cell electric generating system, micro-combined heat and power generating equipment system, electric energy storage equipment or electric energy storage system, or fuel-flexible linear generator electric generating system, which began construction subsequent to the effective date of this local law.

**Section 2. 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.

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

- Resolution to close the Public Hearing for Local Law #1 of 2023

**RESOLUTION #58**

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

Atty. Reichenbach explained that there was an option in the NYS Real Property Tax Law that allows localities to remove the exemption otherwise granted for a number of nontraditional energy systems that could be on a property. He explained that this will remove the exemption and stated that many localities along with Warren County have or are in the process of doing this. This does not apply to residential properties in Bolton. Councilmember Wilson stated that there is no assessment for these alternative systems by the Town of Bolton.

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

**RESOLUTION #59**

Councilmember MacEwan moved, seconded by Councilmember Murnane to declare the Bolton Town Board as Lead Agency under SEQRA & LWRP for Local Law #1 of 2023. **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 #60**

Councilmember Wilson moved, seconded by Councilmember Murnane to make a negative declaration with regard to SEQRA & LWRP for Local Law #1 of 2023. **All in Favor. Motion Carried.**

- Resolution to adopt Local Law #1 of 2023.

**RESOLUTION #61**

Councilmember Wilson moved, seconded by Councilmember MacEwan 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 to approve the adoption of Local Law #1 of 2023 Removing the Real Property Tax Law Section 487 Exemption in the Town of Bolton as follows:

**WHEREAS**, the Town Board of the Town of Bolton finds that the NY Real Property Tax Law allows local governments to decide whether the exemption for real property taxes under NYRPTL Section 487 based on solar or wind, farm waste, micro-hydroelectric, fuel cell electric generating, micro-combined heat and power, electric energy storage or fuel flexible linear generator electric power systems shall apply within the local government; and

**WHEREAS**, the Town Board directed that a Public Hearing regarding a proposed Local Law No. 1 of 2023 removing any such exemption for any project commenced after the effective date of the Local Law be scheduled and notice of the Public Hearing be published as required by law; and

**WHEREAS**, the Town Board has reviewed the draft Local Law removing any such exemption commenced after the effective date of the Local Law and considered any comments provided at the Public Hearing, and finds that it would be appropriate and desirable to adopt Local Law No. 1 of 2023 as set forth below;

**NOW, THEREFORE, BE IT ENACTED BY THE BOLTON TOWN BOARD:**

**“A LOCAL LAW REMOVING THE REAL PROPERTY TAX LAW SECTION 487**

**EXEMPTION IN THE TOWN OF BOLTON**

**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, New York Town Law and New York Real Property Tax Law.

**Section 1. Real Property Tax Law Section 487 Exemption Removal**

A. No exemption under New York Real Property Tax Law section 487 shall be applicable within the Town of Bolton with respect to any solar or wind energy system, farm waste energy system, micro-hydroelectric energy system, fuel cell electric generating system, micro-combined heat and power generating equipment system, electric energy storage equipment or electric energy storage system, or fuel-flexible linear generator electric generating system, which began construction subsequent to the effective date of this local law.

**Section 2. 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.

**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 hearing concerning proposal to repeal and replace TOWN OF BOLTON LOCAL LAW #2 OF 2021 CHAPTER 125 STORMWATER AND EROSION CONTROL:

Councilmember Cleavland explained that this resolution was for updating definitions Chapter 125 Stormwater and Erosion Control regulations to be consistent with LGPC regulations.

- Resolution to close the Public Hearing to repeal and replace to Local Law #2 of 2021

**RESOLUTION #62**

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

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

**RESOLUTION #63**

Councilmember Murnane moved, seconded by Councilmember MacEwan to declare the Bolton Town Board as Lead Agency under SEQRA & LWRP for Local Law #2 of 2023. **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 #64**

Councilmember Wilson moved, seconded by Councilmember Murnane to make a negative declaration with regard to SEQRA & LWRP for Local Law #2 of 2023 CHAPTER 125 STORMWATER AND EROSION CONTROL. **All in Favor. Motion Carried.**

- Resolution to adopt Local Law #2 of 2023 CHAPTER 125 STORMWATER AND EROSION CONTROL.

**RESOLUTION #65**

Councilmember Wilson moved, seconded by Councilmember MacEwan 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 to approve Local Law #2 of 2023 CHAPTER 125 STORMWATER AND EROSION CONTROL in the Town of Bolton as follows:

**WHEREAS**, the Town Board of the Town of Bolton finds that the Town of Bolton Stormwater Management Ordinance, designed to regulate stormwater to prevent pollution and to prevent soil erosion, needs to be replaced to keep pace with the reality of development within the Town and to stay consistent with regulations of the Lake George Park Commission regulating stormwater management and soil erosion; and

**WHEREAS**, the Town Board directed that a Public Hearing regarding a proposed Local Law No.2 of 2023, repealing and replacing Chapter 125, the Town of Bolton Stormwater Management Ordinance, be scheduled and notice of the Public Hearing be published as required by law; and

**WHEREAS**, the Town Board has reviewed the draft Local Law repealing and replacing Chapter 125, the Town of Bolton Stormwater Management Ordinance and considered any comments provided at the Public Hearing, and finds that it would be appropriate and desirable to adopt Local Law No. 2 of 2023 as set forth below;

**NOW, THEREFORE, BE IT ENACTED BY THE BOLTON TOWN BOARD:**

Chapter 125, the "Town of Bolton Stormwater Management Ordinance," is hereby REPEALED and a new Chapter 125 entitled Town of Bolton Stormwater Management Chapter 125 is enacted as Local Law No. 2 of 2023.

Public hearing to AMEND ORDINANCE #36 SANITARY SEWAGE DISPOSAL ORDINANCE FOR THE TOWN OF BOLTON:

**WHEREAS**, the Town Board wishes to amend Ordinance #36 regulating sanitary sewage disposal within the Town of Bolton to reflect the fact that the Town of Bolton frequently engages an independent professional engineer to review and analyze certain plans and inspections of sanitary

sewage systems and that such review is conducted in consultation with and coordinated by the Town Planning and Zoning Office; and

**WHEREAS**, the Town Board directed that a Public Hearing regarding the proposed Amendments be scheduled and notice of the Public Hearing be published as required by law; and

**WHEREAS**, the Town Board has reviewed the draft Amendment of Ordinance #36 and considered any comments provided at the Public Hearing, and finds that it would be appropriate and desirable to adopt the Amendment of Ordinance #36 as set forth in the text attached as Exhibit A hereto;

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Bolton Town Board hereby adopts an Amendment of Ordinance #36 as set forth in the text changes attached hereto as Exhibit A; and

**BE IT FURTHER**

**RESOLVED**, that the Town Board authorizes and directs the Town Supervisor, Town Clerk and/or Town Counsel to execute any required documents and take any and all actions necessary to effectuate all terms of this Resolution.

Councilmember Cleavland explained that this resolution was to update and clarify the language and rules for this ordinance.

- Resolution to close the Public Hearing for Ordinance #36

**RESOLUTION #66**

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

- Resolution to amend Ordinance #36

**RESOLUTION #67**

Councilmember Wilson moved, seconded by Councilmember Murnane amend ORDINANCE #36 SANITARY SEWAGE DISPOSAL ORDINANCE FOR THE TOWN OF BOLTON as follows:



**WHEREAS**, the Town Board wishes to amend Ordinance #36 regulating sanitary sewage disposal within the Town of Bolton to reflect the fact that the Town of Bolton frequently engages an independent professional engineer to review and analyze certain plans and inspections of sanitary sewage systems and that such review is conducted in consultation with and coordinated by the Town Planning and Zoning Office; and

**WHEREAS**, the Town Board directed that a Public Hearing regarding the proposed Amendments be scheduled and notice of the Public Hearing be published as required by law; and

**WHEREAS**, the Town Board has reviewed the draft Amendment of Ordinance #36 and considered any comments provided at the Public Hearing, and finds that it would be appropriate and desirable to adopt the Amendment of Ordinance #36 as set forth in the text attached as Exhibit A hereto;

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Bolton Town Board hereby adopts an Amendment of Ordinance #36 as set forth in the text changes attached hereto as Exhibit A; and

**BE IT FURTHER**

**RESOLVED**, that the Town Board authorizes and directs the Town Supervisor, Town Clerk and/or Town Counsel to execute any required documents and take any and all actions necessary to effectuate all terms of this Resolution. **All in Favor. Motion Carried.**

Public in Attendance:

John Gaddy told the Board about a local trivia game question.

Paula Higgins

- She commended the Board for having the foresight to suggest pickleball courts for Veteran's Park.
- This is the fastest growing sport in the US right now.
- Bolton Pickleball Club has been formed with over 90 local members.
- It is a great sport for all ages and abilities.
- The modified courts at Rogers Park are 3' to short.
- They would like to propose 5 pickleball courts at Veterans in place of the tennis court and designate Rogers for tennis and Veteran's for pickleball.

- Bolton Landing is the only area on the shores of Lake George to have pickleball courts.

Councilmember Wilson explained that the committee for Veteran’s Park would be meeting on the 21<sup>st</sup>. and they will take that request to them.

John Gaddy inquired about the noise. Sue Heusner stated that the game is evolving and some of the changes are quieter balls and paddles.

Correspondence:

- Thank you to the Bolton Water Department from Bolton Community Church.
- Resignation letter from Dustin Lewis. *Received with regret.*

Committee Reports:

**Councilmember Rob MacEwan**

Highway:

N/A

Justice Court:

- During the month of February 2023 Justice Edward G. White collected \$ 1,901.00 in funds (check to Town of Bolton # 561), and Justice Joe Connally collected \$ 3,841.00 in funds (check to Town of Bolton # 537). Total monies forwarded to the Town of Bolton amounted to \$5,742.00. Itemized lists are available upon request by contacting the Court.

Transfer Station:

N/A

Recreation:

N/A

EMS:

Calls: 23 of which only 9 were billable.

Gross Charges Billed in January: \$ 23,774.00

Payments Received in January: \$ 6,539.72

In 2022 we had billed \$11,956.00 and received payments of \$2,592.77.

- Payroll Expenses in January were \$36,492.98 versus \$24,889.07.02 in 2022. We continue to incur overtime costs due to insufficient staff to cover all shifts without overtime.
- The Bolton Fire District has presented a new lease reflecting a monthly rental fee of \$1,500 per month. (\$18,000.00 annually) I have requested a discount if we pay the full annual amount up front and that is under consideration by the Fire Commissioners.
- The landlord of the leased suboffice at 5023 Lake Shore Drive has agreed to allow a month to month extension of our lease at the current rent of \$750.00 per month pending our ability to make arrangements for storage of the file cabinets in use there at an alternative location. The Town of Bolton has been asked for any available locked storage space but there does not appear to be any space available currently.
- Our insurance agent was requested to obtain a quote to increase the Umbrella (Excess Liability) policy limits from the current amount of \$3 Million in excess of the underlying primary policies \$1 Million to \$4 Million in excess of \$1 Million. The current annual Umbrella premium is \$2,458 and to increase the limit the yearly additional premium would be \$737.00.
- Warrensburg EMS has proposed an “ALS Intercept Agreement” calling for a fee of \$500.00 to be paid by agencies requesting an ALS intercept which would be in addition to the amount billed to the patient for ALS services. This would only apply when the ALS provider is riding to the hospital with the transporting agency. If the agency providing ALS transports the patient there is no additional charge to the agency requesting the ALS mutual aid.
- We have received an application for a new volunteer who is interested in joining Bolton EMS to serve during the months of May thru September. The applicant is a retired summer resident of Bolton. Although she has no EMS experience she worked as an alcohol and substance abuse counselor in NYC. She is willing to train as an ambulance driver.

### **Councilmember Brendan Murnane**

#### Water:

- The total distribution flow for the month of February was 4,170,163, averaging 148,945 gallons a day.
- The required sampling was completed according to the SDWIS, including total coliform, TOC, raw alkalinity, and DBPs. Also collected samples for solids testing for BUD purposes.
- Filter turbidimeter sent to Hach for maintenance.
- Assisted wastewater on valve work at Rogers Park.
- Worked on annual WWR (water withdrawal report) and AWQR (annual water quality report).
- Had a raw water pump failure during generator exercise, had Brownell Electric on site to investigate.
- Ongoing card filing/sorting for the Lead Service Line Inventory and Replacement program.
- Sold several Neptune radial meters to replace non-working meters.

- Responded to several customer complaints which needed water to be turned off for owner repairs.
- 13<sup>th</sup> met with Kathy and Sean, Don J and DC III regarding the Phase 1 grant.
- Received several calls about broken meters and billing.
- Answered Dig Safe requests as required during the month.
- Finalized definitions for Josh for ordinance rewrite going forward.

Big Thank you to Dustin Lewis for his extra efforts shoveling out the hydrants through the weekend, during the storms.

Wastewater:

- Total flow for the month 3,884,744 gallons for a daily average of 138,000 gallons.
- We upgraded the main pump station force main so that we have the ability to bypass the station in an emergency event. Ellsworth excavation completed the work. It took 6 days to complete due to the digging and working conditions.
- We have assisted water dept with issues at the plant and in the distribution system.
- We maintained the grounds around the plant and pump stations after several snowstorms.
- We have had several meetings to discuss work at the plant and stations with the current grants and new grants we are applying for. Big thanks to Josh from Zoning and Kathy Suozzo's office for all the help and assistance.
- We have assisted parks dept. with several snowstorms. We helped with cleaning sidewalks and parking lots.
- We have had several alarms due to power outages and issues with pumps at the plant and pump stations.

Assessor:

N/A

Library:

N/A

**Councilmember Susan Wilson**

Planning / Zoning:

- The Planning Office for the month of September collected fees in the amount of \$1,448.00. for various items including Certificates of Compliance, Variances, Site Plan Reviews, Stormwater Permits and After the Fact Fees.
- Planning and Zoning has submitted two applications to both Senators Schumer and Gillibrand's Offices (1 each for water, 1 each for sewer). Planning and Zoning will be submitting the same to

Congresswoman Stefanik's Office tomorrow (1 for water, 1 for sewer).  
Planning and Zoning worked with our Town Engineer's to determine the scope and Congresswoman Stefanik's Office on tailoring requests for this round of funding. The Town will know when the respective chambers submit their budgets. Awards will come upon passage of the Budget.

- Laberge Group provided general assistance to Planning and Zoning in formulating these requests as the Congressionally Directed funding has been identified in the draft our upcoming grant assessment.
- Planning and Zoning has spoken with EFC (Environmental Facilities Corp.), resulting from a meeting at Association of Towns. The agency will set up a in-person meeting with the Town to discuss/ assess needs.
- The Director of Planning and Zoning and Code Enforcement Officer attended NYS Assoc. of Towns late last month.
  - Director of Planning and Zoning took several classes related to securing funding, town budgeting as it relates to capital projects, case law updates, and stormwater.
  - Code Enforcement Officer took several classes put on by NYSDOS related to Code Enforcement, structural/ building requirements, stormwater design, as well as a DOS legal guidance course for Code Enforcement.
- Laberge Group is finalizing the grant assessment work and intends to present it to the Board at the April meeting after Planning and Zoning has reviewed the document.
- Planning and Zoning will be meeting with our engineers and Sewer to discuss the assessment for the main pump station in preparation for its completion in the next month or so. Dependent on the assessment, Planning and Zoning will prepare a memo to the Town Board with suggested sewer-related grants.
- FEMA COVID- Project 1(PPE); has been submitted.
- FEMA Strom Damage- Bridges remain under review with NYS.

## **Councilmember Wanda Cleavland**

### Police:

- Patrol Shifts - 39
- Total Reportable Activity - 520
- Property / Activity Checks – 479
- The police department's work on the Lexipol Policy and Procedure Manual is continuing with bi-weekly customer success program meetings with Lexipol staff.
- New police vehicle update: We have been advised that the equipment installations have been completed and we are awaiting the final notification for vehicle pick up.
- Our work is continuing with the Town of Bolton Code Enforcement Officer on areas of mutual concern.

- In light of recent incidents of attacks on electrical/utility infrastructure in several states, directed patrols of critical utility sites in the town is continuing. We have also established an emergency contact list for all sites.
- The MED Project NY medication disposal kiosk has been utilized frequently. We request that our participation in this program be shared with friends, family, and members of our surrounding communities.
- The police department has conducted thirty-four (34) Bolton Central School checks during February. We continue to work with school administrators and surrounding law enforcement partners to ensure a safe environment for staff and students. We have also conducted two (2) safe-stop patrols to ensure that vehicular traffic is stopping for the flashing red lights of our busses. We are happy to report that no violations have been observed or reported to the police department during the month of February. We have also provided an officer for a community oriented presence at several sports events. Thank you, Sergeant Webster!
- The police department was notified recently that our grant request for the purchase of Body Worn Cameras has been approved. The grant amount awarded was \$20,000.00 and it has been received. We have scheduled several meetings with vendors, and we are attending an informational presentation sponsored by AXON at the Warren County Sheriff's Office during the week of May 15, 2023.
- In our efforts to expand our community's accessibility to the police department and its officers we have had a presence at our Stewart's Shop on a weekly basis. Police Officer Neumann graciously volunteered, and he has been doing a fantastic job with his outreach efforts. Thank you, Police Officer Neumann!
- The police department, in conjunction with TD Bank, will be presenting a Financial Education Seminar at the Bolton Senior Citizen Center on Wednesday, April 05, 2023 @ 11:15am. The focus of the seminar will be Financial Frauds, Schemes, and Scams and how to identify, report, and most importantly, not become a victim of this criminal activity. Special thanks to TD Bank and Bank Manager Dan West for his assistance and commitment to our community.
- Lastly, the police department has been meeting regularly with officers from the New York State Police and the Warren County Sheriff's Office to discuss matters of mutual concern. Both agencies continually show their commitment to public safety and service in our community. Thank you to the New York State Police, Warren County Sheriff Jim Lafarr, and Undersheriff Terry Comeau, for their continuing support.

Town Clerk:

- Total Local Shares Remitted: \$8,268.50
- Total Non-Local Revenue: \$9.00
- Total State, County and Local Revenues: \$8,277.50
- Total town & county tax collected February: \$296,917.43
- Total tax collected to date: \$7,475,218.59.
- Tax collection is currently at 89% collected.

**Supervisor's Report:** (Read by Councilmember Cleavland)

- Deposits: \$ 1,414,697.38
- Disbursements: \$ 595,254.57
- A big thanks to all the departments for the many hours they spent on snow removal this past snowstorm.

**New Business:**

- Resolution to increase the quarterly cell phone stipend for the Deputy Highway Superintendent Matthew R. Coon from \$25 a month to \$75 a month beginning April 1, 2023.

**RESOLUTION #68**

Councilmember Wilson moved, seconded by Councilmember Murnane to increase the quarterly cell phone stipend for the Deputy Highway Superintendent Matthew R. Coon from \$25 a month to \$75 a month beginning April 1, 2023. **All in Favor. Motion Carried.**

- Resolution to standardize the brand of pumps and related appurtenances utilized within the Town's wastewater collection, pumping and treatment systems.

Director of Planning and Zoning Josh Westfall said these next 2 resolutions were recommended by the town engineer and will standardize the pumps and help with the bidding process.

**RESOLUTION #69**

Councilmember MacEwan moved, seconded by Councilmember Murnane to standardize the brand of pumps and related appurtenances utilized within the Town's wastewater collection, pumping and treatment systems. **All in Favor. Motion Carried.**

- Resolution to standardize on the brand of pressure reducing valves and related appurtenances utilized within the Town's water distribution system.

**RESOLUTION #70**

Councilmember Murnane moved, seconded by Councilmember MacEwan to standardize on the brand of pressure reducing valves and related appurtenances utilized within the Town's water distribution system. **All in Favor. Motion Carried.**

- Resolution to retain the LA Group for soliciting & preparing bid proposals for 2023 Highway Capital Improvement projects in the amount not to exceed \$19,750.00.

Councilmember Cleavland explained this was to get ready to go out to bid for summer Highway Road work projects.

### **RESOLUTION #71**

Councilmember MacEwan moved, seconded by Councilmember Murnane to retain the LA Group for soliciting & preparing bid proposals for 2023 Highway Capital Improvement projects in the amount not to exceed \$19,750.00. **All in Favor. Motion Carried.**

- Resolution to award the Emergency Bolton Water and Sewer Construction Services contract to Ellsworth & Son Excavating.

Director of Planning and Zoning Josh Westfall stated that his office had reviewed the bid and this is consistent with what we are already being billed for emergency work.

### **RESOLUTION #72**

Councilmember MacEwan moved, seconded by Councilmember Murnane to award the Emergency Bolton Water and Sewer Construction Services contract to Ellsworth & Son Excavating. **All in Favor. Motion Carried.**

- Resolution to purchase a John Deere 2025 utility tractor off NYS Landscaping Grounds Contract PC69683 (PG XN CG 22) in the amount not to exceed \$34,043.94.

### **RESOLUTION #73**

Councilmember Wilson moved, seconded by Councilmember MacEwan to purchase a John Deere 2025 utility tractor off NYS Landscaping Grounds Contract PC69683 (PG XN CG 22) in the amount not to exceed \$34,043.94. **All in Favor. Motion Carried.**

- Resolution authorizing agreement with Cedarwood Engineering for Water Plant Operator.

Atty. Reichenbach stated that this will be effective April 1, 2023 and will terminate the existing contract with DCK Services LLC at that time.

The Board thanked DCK for all the help and with assisting the town in their time of need.



**RESOLUTION #74**

Councilmember Wilson moved, seconded by Councilmember MacEwan to enter into an agreement with Cedarwood Environmental Services (Delaware Operations, Inc) to operate the Water Treatment Plant as follows:

**WHEREAS**, the Town Board has received a proposal from Cedarwood Environmental Services (Delaware Operations, Inc.) to operate the Town of Bolton Water Treatment Plant in compliance with all applicable laws, regulations and policies governing such operation and ensuring a clean, safe potable water supply within the Town; and

**WHEREAS**, the Town Board has investigated the qualifications and analyzed the proposed price of such services, to wit: \$4,600 per month while no certified operator is provided by the Town and \$4,000 per month when the Town provides a certified operator; and

**WHEREAS**, the Town Board finds that the qualifications, proposed price and services are fair and appropriate and that Cedarwood Environmental Services will provide a cost-effective and professional operation of the Town’s water plant as set forth in the proposal from Cedarwood dated November 17, 2022;

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Bolton Town Board hereby authorizes the Supervisor to enter into a contract with Cedarwood Environmental Services to operate the Town’s Water Treatment Plant substantially as set forth in Cedarwood Environmental Services’ November 17, 2022 proposal, for a monthly contract cost of \$4,600 when no Town supplied certified operator is available and \$4,000 when the Town supplies a certified operator, for an initial term of one year effective April 1, 2023; and

**BE IT FURTHER RESOLVED**, that the Town Board directs the Town Counsel to terminate the current contract for such operation effective April 1, 2023; and

**BE IT FURTHER RESOLVED**, that the Town Board authorizes and directs the Town Supervisor, Town Clerk and/or Town Counsel to execute any required documents and take any and all actions necessary to effectuate all terms of this Resolution.

**All in Favor. Motion Carried.**

Public in Attendance

Pay the Bills:

**RESOLUTION #75**

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

Pay the Bills:

Abstract 2A

General	224-264	5,190.63
Sewer	45-53	3,602.40
Water	35-38	1,195.76
St Lights	6-8	44.50

Abstract 3

General	177-223 265-322	70,638.21
Highway	39-72	53,295.45
Sewer	33-44 54-68	18,805.65
Water	24-34 39-56	27,576.02
B&G Building Project	1	482.50
St Lights	9-10	2,341.52
Sewer Improve	2	5,330.00

Adjourn

**RESOLUTION #76**

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

Meeting Closed: 6:35PM

Minutes respectfully submitted by:

Jodi Petteys  
Town Clerk

Katie Persons  
Minute Taker