

REGULAR MEETING
BOLTON TOWN BOARD

May 2, 2023

Regular Meeting:

Supervisor: Ronald Conover
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

Meeting Call to Order: 6:00PM.

Pledge: Councilmember Murnane

Minutes:

- Approve the April 4, 2023 Town Board Meeting Minutes.

RESOLUTION #103

Councilmember MacEwan moved, seconded by Councilmember Murnane to approve the April 4, 2023 Regular Town Board Meeting Minutes. **All in Favor. Motion Carried.**

PUBLIC HEARINGS:

Public Hearing concerning proposed LOCAL LAW #3 OF 2023 PROVIDING REAL PROPERTY TAX EXEMPTIONS FROM TOWN TAXES FOR VOLUNTEER FIREFIGHTERS AND VOLUNTEER AMBULANCE WORKERS.

- Resolution to close the Public Hearing for Local Law #3 of 2023.

Steve DeLorenzo Fire Commissioner explained that this is a 10% tax credit for volunteer firefighters. Currently they have a \$200.00 income tax credit which is more beneficial for many of them. He said this was a great incentive to get new volunteers and to keep the existing members. He stated they would be working with Bolton Central School to get on board for this too.

John Gaddy stated he was in support of this new law, and he hopes the Town can do whatever is possible to support the Fire Department.

Deanna Schmidt of 197 Federal Hill Road stated she was new to the community and hoped this law would pass as she was in support of it.

John Saris of 177 East Schroon River Road stated that if this was a way to get young people to stay in the town and grow the fire company it would be a bonus for the town.

RESOLUTION #104

Councilmember Murnane moved, seconded by Councilmember Cleavland to close the Public Hearing for Local Law # 3. **All in Favor. Motion Carried.**

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

RESOLUTION #105

Councilmember Cleavland moved, seconded by Councilmember Murnane to declare the Bolton Town Board as Lead Agency under SEQRA & LWRP for the proposed Local Law #3 **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
4. 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.

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 #106

Councilmember Wilson moved, seconded by Councilmember Cleavland to make a negative declaration with regard to SEQRA & LWRP for proposed Local Law #3 of 2023. **All in Favor. Motion Carried.**

- Resolution to adopt Local Law #3 of 2023.

RESOLUTION #107

Councilmember Wilson moved, seconded by Councilmember MacEwan having declared the Bolton Local Board of Health as Lead Agency, held a public hearing, made a Negative Declaration for the SEQRA Application and a positive determination of consistency for the LWRP application, I make a motion to adopt Local Law #3 of 2023 providing real property tax exemptions from town taxes for volunteer firefighters and volunteer ambulance workers as follows:

WHEREAS, the Bolton Town Board wishes to consider adoption of Local Law No.: 3 of 2023 to provide real property tax exemptions for volunteer firefighters and volunteer ambulance workers, and

WHEREAS, this legislation is authorized in accordance with New York Real Property Tax Law §466-a, and

WHEREAS, Real Property Tax Law §466-a requires the Town Board to hold a Public Hearing prior to the adoption of this Local Law, and the Town Board duly held a Public Hearing on Tuesday, May 2, 2023 concerning proposed Local Law No.: 3 of 2023 and heard all interested persons

NOW, THEREFORE, BE IT

RESOLVED, that the Bolton Town Board hereby adopts proposed Local Law No.: 3 of 2023 to provide real property tax exemptions from Town taxes for volunteer firefighters and volunteer ambulance workers pursuant to section 466-a of the Real Property Tax Law, and

BE IT FURTHER,

RESOLVED, that such Local Law to authorize these real property tax exemptions shall take effect upon filing the Local Law with the Secretary of State, and

BE IT FURTHER,

RESOLVED, that the Town Board hereby authorizes and directs the Town Clerk to file the Local Law with the New York State Secretary of State in accordance with the provisions of the Municipal Home Rule Law, 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 the intent of this Resolution. **All in Favor. Motion Carried**

Convene as the Town of Bolton Board of Health

RESOLUTION #108

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

PUBLIC HEARINGS:

Public Hearings: **S23-16. Kathryn A Mitchell** (Applicant) seeks the following variance per Ordinance 36 of Bolton Town Code: Relief requested due to limiting site conditions. The applicant proposes a setback of 65-feet to the existing well that serves their site. NYSDOH Appendix 75-A requires a minimum separation distance of 100ft; therefore, the relief sought is 65ft. Property Address: 49 Coolidge Hill Road. SBL: 213.13-1-3. Owner: Kathryn A Mitchell.

- Resolution to close the Public Hearing for S23-07.

RESOLUTION #109

Councilmember Cleavland moved, seconded by Councilmember MacEwan to close the Public Hearing for S23-07. **All in Favor. Motion Carried.**

- Resolution establishing Town of Bolton as Lead Agency.

RESOLUTION #110

Councilmember Cleavland moved, seconded by Councilmember Murnane to declare the Bolton Local Board of Health as Lead Agency under SEQRA & LWRP for the proposed septic variance S23-16 for Kathryn A Mitchell, Property Address: 49 Coolidge Hill Road. SBL: 213.13-1-3. **All in Favor. Motion Carried.**

Brandon Ferguson of EDP presented the following:

- Currently the homeowner has a cesspool as a septic system and would like to update it to today's standards.
- This is a small lot with a brook in the back and a well in the center.
- They will be increasing the distance from the existing well.
- This is a big improvement from what exists now and the best they can do.

Supervisor Conover stated he was happy that they had moved to an advanced system.

Councilmember Wilson asked about the size of the new field. Mr. Ferguson stated that it was approximately a 30% reduction. Councilmember Wilson asked if this pump was like a regular septic system. Mr. Ferguson replied yes, and it would be pumped every 3 to 5 years. He said that it would not be inspected every year.

Supervisor Conover inquired about an alarm. Mr. Ferguson explained that it was all gravity fed. Supervisor Conover explained that his concern was for water being left on and dumped into the system and what the safeguard was for this. Mr. Ferguson detailed how this tank worked and explained that there was no room for an alarm float system in this type of system.

Councilmember Wilson asked if this was a combination of an old and new system. Mr. Ferguson replied yes.

Councilmember MacEwan asked if this was a year round residence. Mr. Ferguson replied yes.

- Resolution regarding SEQRA & LWRP determinations.

Councilmember Wilson asked the Board the following questions:

5. 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

6. 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
7. Will the proposed action impact any of the items listed 1 through 11 in Part 2 of the SEQRA Form? No
8. 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.

Based upon the materials submitted and accepted as part of the record, our findings are as follows:

- C. 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.
- D. 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 #111

Councilmember Wilson moved, seconded by Councilmember Murnane to make a negative declaration with regard to SEQRA & LWRP variances for S23-16 Kathryn A. Mitchell, Property Address: 49 Coolidge Hill Road. SBL: 213.13-1-3. **All in Favor. Motion Carried.**

- Resolution for proposed Septic Variance S23-07.

RESOLUTION #112

Councilmember Wilson moved, seconded by Councilmember MacEwan having declared the Bolton Local Board of Health as Lead Agency, held a public hearing, made a Negative Declaration for the SEQRA Application and a positive determination of consistency for the LWRP Application and having been approved by Town Engineer KSPE Civil Engineering, and recommended by the Town of Bolton Planning and Zoning Office, I make a motion to approve this Variance Application for the installation of an Elgin ETU system for Kathryn A Mitchell, Property Address: 49 Coolidge Hill Road. SBL: 213.13-1-

3. All in Favor. Motion Carried

Reconvene as Bolton Town Board

RESOLUTION #113

Councilmember MacEwan moved, seconded by Councilmember Murnane to reconvene as the Bolton Town Board. **All in Favor. Motion Carried.**

Public Comment:

Frank Passaro asked about making the bins for recyclables more accessible at the Transfer Station. Supervisor Conover explained that the bins belong to the County and the haulers, but he would discuss this with the Transfer Station Supervisor and Kevin Hajos from the County to help ameliorate the problem.

Ralph Rivera 697 Valley Woods Road stated he went to the Zoning Office to find out what the status of Resolution #280 for Ordinance 80 with respect to the Kingsley property and was told that they were missing some critical information. He wants to know what the status is on this situation. Atty. Reichenbach stated that a Supreme Court action had been filed and Mr. Kingsley would be served by a process server. He stated that there was a critical piece of information missing, but it has since been found after searching the other files. They are seeking orders from a Supreme Court Judge to bring Mr. Kingsley into immediate compliance and to assess penalties for the non-compliance during the interim.

Supervisor Conover suggested that going forward the Zoning Office should maintain an active review on these violations.

Mr. Rivera stated that the culverts that Mr. Kingsley illegally put on his property are draining onto the neighboring properties and destroying them. Atty. Reichenbach replied that it was a part of what they were going forward with now. Josh Westfall stated he had sent this to the LGPC for their review too. Mr. Rivera stated this runoff makes it way to Indian Brook and is a huge concern. He asked to be kept in the loop. Atty. Reichenbach said of course, and he advised him that the action they have commenced can ultimately lead to compliance with the town code and impose penalties for not complying during the interim. They also may require Mr. Kingsley to come into compliance. That action on the Town's behalf cannot compensate him for any damage done to his property. Nothing the Town has done stops him from commencing an action of his own for the damage done to his property. If he decides to engage an attorney to do that, he encourages him to have that attorney contact him.

Correspondence:

- Resignation letter received from Bernard French.
- Resignation letter received from Lisa French.
- Invitation to the Sembrich Gala.

- Northern Forest Center President’s letter.
- American Legion Post #961 regarding their Memorial Day Parade.
- NYS DOH regarding a survey.

Committee Reports:

Councilmember Rob MacEwan

Highway:

N/A

Justice Court:

- During the month of April 2023 Justice Edward G. White collected \$ 2,380.00 in funds (check to Town of Bolton # 563), and Justice Joe Connally collected \$ 2,099.00 in funds (check to Town of Bolton # 539). Total monies forwarded to the Town of Bolton amounted to \$4,479.00. Itemized lists are available upon request by contacting the Court.

Recreation:

N/A

Transfer Station:

N/A

EMS:

Calls: 18 (3 mutual aid) of which only 13 were billable.

Gross Charges Billed in March:	\$ 23,107.60
Gross Charges Billed YTD:	\$ 67,561.20
Payments Received in March:	\$ 11,692.09
Payments Received YTD:	\$ 27,534.74

In 2022 we had billed \$56,042.00 and received payments of \$21,937.58 through March.

Payroll Expenses through March were \$110,455.99 versus \$79,872.36 in 2022. We continue to incur overtime costs due to insufficient staff to cover all shifts without overtime.

Councilmember Brendan Murnane

Water:

- The total distribution flow for the month of April was 3,954,605 gallons averaging 131,820 gallons a day.
- The required sampling was completed according to the SDWIS, including total coliform, TOC, and raw alkalinity.
- 4/1 Cedarwood took over replacing DCK Services.
- Resolved Effluent Valve issue on Filter 1.
- 4/3 Slack Chemical came to clean filters.
- Started and completed quarterly meter reads.
- 4/11-4/13 Installed new isolation valves on Horicon Ave. for future work on Horicon PRV.
- 4/13 Had a new Scada installed.
- Maintenance around the plant and PRV's.
- 4/19 DOH visit for plant upgrades.
- 4/22-4/24 Responded to leak at consumer's house.
- Turned on several residents' water.
- Sold several Neptune radial meters to replace non-working meters.
- Received several calls about broken meters and billing.
- Answered Dig Safe requests as required during the month.

Wastewater:

- Total flow for the month 5,651,038 gallons for a daily average of 188,000 gallons.
- We assisted at the water plant with Cedarwood Engineering and Slack Chemical to clean both filters and adjustment of chemical. We have also assisted with issues in the distribution system and installation of new valves on Horicon Avenue. Matt assisted with water break on Belle Lodi Lane.
- We cleaned all the pump stations and cleaned several lines for the upcoming busy season to prevent issues.
- We cleaned tanks and buildings around the sewer plant.
- We have had several meetings with KSPE to discuss upcoming grants and issues at pump stations and plant.
- We maintained the grounds around sewer plant and pump stations. We removed the snow blower from tractor and installed mowing deck for season.

- We have had several alarms due to high water and issues with pumps.
- We installed 4 flow meters in manholes around town with KSPE staff to locate I&I issues with a current grant we have.

Assessor:

N/A

Library:

N/A

Councilmember Susan Wilson

Planning / Zoning:

- The Planning Office for the month of March collected fees in the amount of \$4,155.00. for various items including Certificates of Compliance, Variances, Site Plan Reviews, Stormwater Permits and After the Fact Fees.
- Sens. Schumer and Gillibrand requested both the water and sewer projects to be included in next year's federal budget (\$433,000 and \$381,000 respectively).
- Congresswoman Stefanik has requested that the Bolton Sewer Project be included in next year's federal budget (\$381,000).
- Town Zoning enforcement has stepped up enforcement of the Town's sign policy. The policy is online on the Planning and Zoning webpage.
- Planning and Zoning attended a meeting with many members of the Bolton Chamber on Tuesday April 25th. The topic was affordable housing, transportation, and childcare. The Comprehensive Plan Committee will have their first meeting in the last week of May/ first week of June.
- Along with Matt Coon and Cedarwood, Planning and Zoning met with NYS DOH and DEC related to upgrades at the water plant.
- Planning and Zoning is coordinating with Town Police and rubbish removal services for the cleanup of a property in violation of Ordinance #80, Property Maintenance. It is expected that Planning and Zoning will receive quotes within the next few days.
- Planning and Zoning met with Town Engineers KSPE related to upcoming grant deadlines related to this year's CFA and WIIA grants.
- Planning and Zoning submitted a Letter of Intent to the Northern Border Commission to apply for the Northern Border Grant program for sewer infrastructure.
- Planning and Zoning has been working closely with Town Consultants related to upgrades at Veterans Park.

- Planning and Zoning is doing final review on the Bolton section of the Hazard Mitigation Plan. The final draft of the Lake George Watershed Action Plan, produced by Lake Champlain Lake George Regional Planning Board is out. There will be a meeting in June to finalize recommendations.
- Planning and Zoning as well as the Town's sewer and water engineers will have a meeting with EFC Community Assistance Team on June 2nd related to water and sewer upgrades. Planning and Zoning has been working with Nina Oldenquist and the Bolton Museum on building upgrades.
- WCSWC will have a "woodlot ownership" workshop on June 3rd at ACC. Anyone interested can register by May 26th on the Soil and Water Conservation Website.

Councilmember Wanda Cleavland

Police:

- Patrol shifts - 43
- Total reportable activity - 563
- Property / activity checks – 504
- The police department's work on the Lexipol Policy and Procedure Manual is continuing with monthly customer success program meetings with Lexipol staff.
- New police vehicle update: We are awaiting the final notification for vehicle delivery.
- 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 are continuing.
- 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-nine (39) Bolton Central School checks during April. We continue to collaborate with school administrators and surrounding law enforcement partners to ensure a safe environment for staff and students. We have also conducted four (4) safe-stop patrols during April to ensure that vehicular traffic stops for the flashing red lights of our buses. We are happy to report that no violations have been observed or reported to the police department during April. We have also provided an officer for a community oriented presence at the BCS Earth Day and numerous sports events. Thank you, Sergeant Webster! We have also conducted several school safety and security details with the Warren County Sheriff's Office and the New York State Police.
- The police department received our ordered Axon Body Worn Cameras and associated components. We are in the process of formalizing the police department's written policy and will begin the necessary training program.
- In our efforts to expand our community's accessibility to the police department and its officers we have continued to be a presence at our Stewart's Shop on a weekly basis. Police Officer

Neumann graciously volunteered, and he did a fantastic job with his outreach efforts. Thank you, Police Officer Neumann, for your efforts!

- The police department, in conjunction with TD Bank, presented a Financial Education Seminar at the Bolton Senior Citizen Center on Wednesday, April 05, 2023. The program was well attended, and we look forward to future presentations. Special thanks to TD Bank and Bank Manager Dan West for his assistance and commitment to our community.
- The police department is working with the New York State Department of Transportation with several traffic safety initiatives which include excessive vehicular speeds, and pedestrian crossing safety on St Rt. 9N in the area of Chic's Marina and at Veteran's Memorial Park. We have been notified the traffic study/survey is being conducted, and we look forward to DOT's recommendations and corrective measures. Also, we are working with the Bolton Highway Department in placing the town's radar speed signs in areas of concern. Thank you to Highway Superintendent Bill Sherman and Deputy Superintendent Matt Coon for their assistance.
- The police department sponsored a Narcan training event which occurred on Tuesday, May 02, 2023 at 10:00am at Town Hall. Healing Springs Recovery Center conducted the training and continues to be a valuable resource for the Town of Bolton and its citizens.
- 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, Undersheriff Terry Comeau, and all the officers for their efforts.

Town Clerk:

- Total local shares remitted: \$19564.04
- Total non-local revenue: \$ 131.96
- Total state, county & local revenues: \$ 19696.00
- 450 Clean up cards distributed.

Supervisor's Report:

- Deposits: \$ 66,236.48
- Disbursements: \$ 583,791.16
- Horicon PRV valves installed, now ready for PRV upgrade when new valves arrive.
- Bid received on roadwork, resolution for award before you this evening.
- George Mumblow's quick action in reporting smoke billowing out of a chimney is much appreciated by the homeowner who said it saved them from what could have been a very serious situation. *Supervisor Conover stated that it was a pleasure working with such a dedicated individual for the Town of Bolton and its residents.*
- New operators at the water plant are performing extremely well.
- New Building and Grounds Building construction is expected to begin later this month.

- Big thank you to Bernie and Lisa French for their dedicated service to the Town of Bolton and wishing them the best in their retirement.

New Business:

- Resolution to adjust the Buildings and Ground Department Laborer 2 & 3 to \$23.00 per hour and adjust the Transfer Station Supervisor stipend to \$ 5,500.00 per year as of May 1, 2023.

RESOLUTION #114

Councilmember Wilson moved, seconded by Councilmember Murnane to adjust the Buildings and Ground Department Laborer 2 & 3 to \$23.00 per hour and adjust the Transfer Station Supervisor stipend to \$ 5,500.00 per year as of May 1, 2023. **All in Favor. Motion Carried.**

- Resolution to pause in deliberation to thank retiring Mayor Bob Blais for his leadership, support and friendship to the Town of Bolton.

RESOLUTION #115

Councilmember Cleavland moved, seconded by Councilmember MacEwan to pause in deliberation to thank retiring Mayor Bob Blais for his leadership, support and friendship to the Town of Bolton. **All in Favor. Motion Carried.**

- Resolution to amend the approval of the use of the Cross Street parking lot, the area in front of Town Hall and the area at the southwest rear corner of the Town Hall by the Bolton Chamber of Commerce to the following: May 27 & 28, July 1 & 2, September 2 & 3, and September 23 & 24 from 10AM until 5PM for the Bolton Arts & Crafts Festivals, with set-up to begin on Fridays at 4 PM.

RESOLUTION #116

Councilmember Cleavland moved, seconded by Councilmember Murnane to amend the approval of the use of the Cross Street parking lot, the area in front of Town Hall and the area at the southwest rear corner of the Town Hall by the Bolton Chamber of Commerce to the following: May 27 & 28, July 1 & 2, September 2 & 3, and September 23 & 24 from 10AM until 5PM for the Bolton Arts & Crafts Festivals, with set-up to begin on Fridays at 4 PM. **All in Favor. Motion Carried.**

- Resolution to award New Vermont Road Paving Project contract to Peckham Road Corp. in the amount of \$237,998.00.

RESOLUTION #117

Councilmember MacEwan moved, seconded by Councilmember Murnane to award New Vermont Road Paving Project contract to Peckham Road Corp. in the amount of \$237,998.00. **All in Favor. Motion Carried.**

- Resolution to award New Vermont Road Extension Paving Project contract to Peckham Road Corp in the amount of \$144,998.00.

RESOLUTION #118

Councilmember Murnane moved, seconded by Councilmember Cleavland to award New Vermont Road Extension Paving Project contract to Peckham Road Corp in the amount of \$144,998.00. **All in Favor. Motion Carried.**

- Resolution to award Potter Hill Road Paving Project contract to Peckham Road Corp in the amount of \$183,998.00.

RESOLUTION #119

Councilmember MacEwan moved, seconded by Councilmember Wilson to award Potter Hill Road Paving Project contract to Peckham Road Corp in the amount of \$183,998.00. **All in Favor. Motion Carried.**

- Resolution to authorize Transfer Station Senior pickup days as May 15th & 16th 2023.

RESOLUTION #120

Councilmember MacEwan moved, seconded by Councilmember Murnane to authorize Transfer Station Senior pickup days as May 15th & 16th 2023. **All in Favor. Motion Carried.**

- Resolution to authorize Catherine Persons to attend the AOT annual finance training on May 15th and 16th, 2023.

RESOLUTION #121

Councilmember Wilson moved, seconded by Councilmember Cleavland to authorize Catherine Persons to attend the AOT annual finance training on May 15th and 16th, 2023. **All in Favor. Motion Carried.**

- Resolution to authorize contract addendum with Laberge Group for professional services related to the Town Comprehensive Plan in an amount not to exceed \$62,517.

RESOLUTION #122

Councilmember Murnane moved, seconded by Councilmember Cleavland to authorize contract addendum with Laberge Group for professional services related to the Town Comprehensive Plan in an amount not to exceed \$62,517. **All in Favor. Motion Carried.**

- Resolution to appoint community members to the Town of Bolton Comprehensive Plan Committee coordinated by the Planning and Zoning Office.

Members shall include:

1. Mr. B. Kincaid
2. Mr. J. Gaddy
3. Mrs. G. Lindyberg
4. Mrs. K. Suozzo
5. Mr. D. Smith
6. Mr. J. Saris
7. Mr. I. Wolgin
8. Mrs. H. Dansbury
9. Mr. H. Caldwell
10. Councilmember Wilson: Town Board Liaison

RESOLUTION #123

Councilmember Wilson moved, seconded by Councilmember Murnane to appoint community members to the Town of Bolton Comprehensive Plan Committee coordinated by the Planning and Zoning Office.

Members shall include:

1. Mr. B. Kincaid
2. Mr. J. Gaddy
3. Mrs. G. Lindyberg
4. Mrs. K. Suozzo
5. Mr. D. Smith
6. Mr. J. Saris
7. Mr. I. Wolgin
8. Mrs. H. Dansbury
9. Mr. H. Caldwell
10. Councilmember Wilson: Town Board Liaison

All in Favor. Motion Carried.

- Resolution to authorize the Planning and Zoning Office to form the Climate Smart Community Task Force and appoint Joshua Westfall, Director of Planning and Zoning as Task Force Coordinator.

RESOLUTION #124

Councilmember Cleavland moved, seconded by Councilmember Wilson authorize the Planning and Zoning Office to form the Climate Smart Community Task Force and appoint Joshua Westfall, Director of Planning and Zoning as Task Force Coordinator. **All in Favor. Motion Carried.**

- Resolution to authorize a change order #1 from Rozell Industries, Inc. related to the B & G project in the amount of \$6,500.

RESOLUTION #125

Councilmember Murnane moved, seconded by Councilmember Wilson to authorize a change order #1 from Rozell Industries, Inc. related to the B & G project in the amount of \$6,500. **All in Favor. Motion Carried.**

- Resolution to authorize a change order #1 from Stants Combustion related to the B & G project in the amount of \$7,246.

RESOLUTION #126

Councilmember Cleavland moved, seconded by Councilmember MacEwan to authorize a change order #1 from Stants Combustion related to the B & G project in the amount of \$7,246. **All in Favor. Motion Carried.**

- Resolution to authorize the Town Clerk to advertise for bids from Labella LLC. related to Town Hall door replacement project.

RESOLUTION #127

Councilmember Wilson moved, seconded by Councilmember Cleavland to authorize the Town Clerk to advertise for bids from Labella LLC. related to Town Hall door replacement project. **All in Favor. Motion Carried.**

- Resolution to approve an intermunicipal agreement between Warren County and the Town of Bolton for the installation of a new radio tower at the Town of Bolton Highway Department located at 87 Finkle Road.

Sheriff LaFarr explained that this was a 60' radio tower very similar to what was installed in Stony Creek. This will benefit the Fire and EMS services in the Town of Bolton significantly. The service in Bolton is marginal, and in some areas non-existent. This will not be used for cell service it is radio service only and dedicated for public safety. He stated with tonight's approvals, they would start the permitting process. Atty. Reichenbach explained that the Board will be granting a limited immunity of the Town zoning laws based on the fact that this is a public safety measure and that they have determined that the greater public good would be met by not forcing the Sheriff's Department jump through the area variance and site plan hoops.

RESOLUTION #128

Councilmember Wilson moved, seconded by Councilmember Murnane to approve an intermunicipal agreement between Warren County and the Town of Bolton for the installation of a new radio tower at the Town of Bolton Highway Department located at 87 Finkle Road as follows:

WHEREAS, residents and visitors to the Town of Bolton are protected from public safety calamities in part by the Warren County Sheriff's Office and local police, fire and emergency medical first responders through use of the Sheriff's radio communications system; and

WHEREAS, the ongoing changes to the Sheriff's communications system and public safety needs within the Town of Bolton require an additional radio tower and associated building to be built within the Town; and

WHEREAS, the Sheriff's Office has located a parcel of land within the Town at 87 Finkle Road that would be suitable for construction of a new radio tower and associated building and that would enable the Sheriff's Office communication system to maintain its utility for response to emergencies within the Town; and

WHEREAS, the Sheriff's Office, through the Warren County Board of Supervisors, has proposed an Inter-Municipal Agreement with the Town to memorialize the respective rights and responsibilities of the County and the Town in furtherance of the project; and

WHEREAS, the location is partially within two different zoning districts within the Town, LC 25 and RL 3 and the Scenic Corridor Overlay Zone, with the construction to take place in RL 3; and

WHEREAS, strict compliance with the Bolton Zoning Law would require the Sheriff's Office to apply for and obtain an area variance and a site plan review to be able to construct the project within the RL 3 Zone and the Overlay Zone; and

WHEREAS, the Sheriff’s Office has asked the Bolton Town Board to confer upon it a grant of limited immunity from strict compliance with the Bolton Zoning Law so that the County would not need an area variance or site plan review;

NOW UPON CONSIDERATION OF THE ABOVE, BE IT HEREBY RESOLVED THAT the Town Board of the Town of Bolton determines that the best interests of the public involved compel a grant of limited immunity from strict application of the Bolton Zoning Law as regards the proposed construction of a new radio tower and associated building for the Warren County Sheriff’s Office upon a 9.07 acre parcel within the Town such that the project will not be subject to application for and receipt of an area variance as would otherwise be required, nor will the project be subject to site plan review requirements;

AND IT IS FURTHER RESOLVED that the proposed Inter-Municipal Agreement is reasonable and reflective of the desire of the Town Board to protect the Town’s interests and the Supervisor is authorized to execute the Agreement; and

BE IT FURTHER RESOLVED that the Town Supervisor is authorized to take any actions and execute any documents or instruments necessary to implement the intent of this Resolution in a form approved by Town Counsel. **All in Favor. Motion Carried.**

- Resolution to approve the use of the town docks and pier in Rogers Park by the Antique & Classic Boat Show on Friday, August 25, 2023 from 9AM to Noon.

RESOLUTION #129

Councilmember MacEwan moved, seconded by Councilmember Murnane to approve the use of the town docks and pier in Rogers Park by the Antique & Classic Boat Show on Friday, August 25, 2023 from 9AM to Noon. **All in Favor. Motion Carried.**

Public in Attendance:

RESOLUTION #130

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

ADDITIONAL TRANSFERS FOR APRIL 2023

To	From	Amount
<u>SEWER:</u>		

8120.4 Sanitary Sewers CE	Fund Balance	\$42,000.00
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TRANSFERS FOR MAY 2023

To	From	Amount
<u>GENERAL:</u>		
1650.2 Central Comm EQ	1650.4 Central Comm CE	\$6,349.00

WATER:

1440.4 Professional Svcs	1990.4 Contingency	\$5,000.00
1440.4 Professional Svcs	8310.1 Administration PS	\$5,000.00
8340.4 Transm/Dist CE	Fund Balance	\$63,000.00

ADDITIONAL TRANSFERS:

\$30,000.00 to be transferred to Sewer District from General Fund. The transfer will be set up as a Due To / Due From in anticipation of upcoming Quarterly Billing.

RESOLUTION #131

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

Abstract 4A

General	558-600	9,683.76
Sewer	116-124	3,657.64
Water	106-108	1,230.48
St Lights	16-18	47.94
Vets Park	3	500.00

Abstract 5

General	479-557 601-630	69,701.54
Highway	110-149	56,012.54
Sewer	100-115 125-132	12,487.32
Water	87-105 109-118	92,428.50
St Lights	19	420.10
Sewer Improve	5-6	7,676.25
Sewer I & Infiltration	1	862.50

B&G Building Project	4	1,612.50
Tourism	3	5,360.23

Adjourn

RESOLUTION #132

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

Motion Carried.

Meeting Closed: 7:01

Minutes respectfully submitted by:

Jodi Petteys
Town Clerk

Katie Persons
Minute Taker