

**Bolton LDC Meeting- August 27, 2008**

**State of New York**

**Warren County**

**Town of Bolton**

Present: Phil Farbaniec, Joel Jacko, Alexander G. Gabriels III, Supervisor Kathy Simmes and Jason Saris

Absent: Art Baker and Scott Andersen

Phil Farbaniec called the meeting to order at 5:10 p.m.

Public in Attendance: No Public in Attendance.

Phil Farbaniec had one correction to the July 30, 2008 minutes, on page 2, third full paragraph should read as follows: "Phil Farbaniec asked how many boats they could store in the main building."

Treasurer's Report: (as of August 23, 2008)

Phil Farbaniec stated that their gross sales, from all sources of income, were \$16,000 ahead of last year. He stated that although that is good they have to take into consideration the increased fuel costs and feels that basically they are pretty even with last year's income.

Old Business:

*Old Garage and/or steel 3 sided building's demolition-*

Phil Farbaniec stated that any decision on demolition for either building will be determined after they meet with the LA Group and a master plan is developed.

*Winter Storage-*

Phil Farbaniec stated that at the last meeting they had some discussion on winter storage including fees. However, the impression he has gotten from the staff is that there is very little to no market for winter storage because most of their dock customers are already contracted for winterization and storage. Phil Farbaniec stated that Linda Bennett indicated that last year only 5 customers used the inside storage from Norowal and that may happen again this year. Joel Jacko feels that they are running out of time to make contact with other marinas. He stated that they only have Jason Merlot interested in the steel building and that is all they have. He is afraid that if they do not commit to Jason Merlot soon they will lose that opportunity as well. Phil Farbaniec stated that most of the marinas already have sufficient storage on site or they already have additional storage set up elsewhere. Zandy Gabriels asked if there were people similar to individuals like Jason Merlot that are looking for space to winterize and store boats. Phil Farbaniec stated that he is not sure where to go or what to tell the managers in way of contacting interested parties. Supervisor Simmes asked if they have contacted other marinas such as Yankee because although they have a new storage facility they are only allowed to store so many boats. Joel Jacko stated that it seems

that other marinas have already made other commitments for additional storage and he is afraid that they have missed the boat. He feels that they should have contacted marinas earlier in the season and that maybe they should commit to Jason Merlot and work on this winter storage for next season. Zandy Gabriels stated that he is not sure that they should be renting space to Jason Merlot again because there were issues in the previous season. Joel Jacko stated that he is not disagreeing but he feels that they could set detailed instructions or standards that need to be met by the individuals renting the space. Supervisor Simmes asked what the problems were last season. Jason Saris explained that he completed winterization inside the building and continued to work on the boats throughout the winter season even though he was told that he would not be allowed to do so. He continued that they also never got a certificate of insurance from him. He stated that his biggest concern is that this was an inside deal and no one else ever had a shot at it. He stated that there is a local individual that does the same thing and it was never offered to him. Phil Farbaniec asked if they could fix the situation by putting it out to bid. Jason Saris replied yes. He asked if this would be going out to bid for commercial entities. Supervisor Simmes asked what else it would be for. Jason Saris replied that someone might want to put their RV or motor home in there. He stated that before they put an ad in the paper for the storage space they will need to be specific as to what they are renting and who they are looking to offer this to. Jason Saris asked if they are going to ask for a specific price or ask for offers. Phil Farbaniec replied that he would like to set a minimum bid based on the fees discussed at last month's meeting of \$2.50/sq. ft for indoor storage and \$1.25/sq. ft. for outdoor storage. Jason Saris stated that if they could store approximately 12 twenty foot boats. He stated that if they use the rate that he pays to store boats at \$2.00/sq. ft it would be \$4,800.00. He stated that he pays this as commercial rate and if he were paying retail it could be up to \$5.00/sq. ft. He stated that he is not sure of the square footage of the building but this could give them an approximate number to work with in setting a minimum bid. Joel Jacko stated that they are still short of time and asked what is the best way to handle notification. Phil Farbaniec stated that they could put an ad in the paper. Jason Saris stated that they could start by calling the local marinas and individuals like Jason Merlot and Teddy Persons. Joel Jacko asked what should they use as a time frame for commitment. Jason Saris stated that they should call all the local marinas with exception to F.R. Smith & Sons and Performance Marina to offer the storage and to set a time frame. Phil Farbaniec asked if Jason Saris could provide a list of marinas and individuals that may be interested in this. Jason Saris replied yes.

Phil Farbaniec stated that if he were to commit to a minimum bid he would choose a \$3,600.00 minimum bid but asked if it should be more. Jason Saris stated that it could be little more but feels that the minimum should be set somewhere just below \$4,000.00. He stated that they should measure the building and get the specifics so they can offer that to potential customers. Zandy Gabriels asked if they are going to limit it to boats only. Jason Saris replied it will be for boats only, for storage purposes only and they will need current insurance. With regard to the marina contractors' certificates of compliance, Phil Farbaniec stated that since their last discussion they checked their files and there wasn't anyone that was in compliance. He stated that everyone was contacted but he is not sure if everyone has complied. Phil Farbaniec suggested that they set the minimum bid at \$3,600.00. Joel Jacko agreed.

Jason Saris stated that he was concerned that they would advertise in the newspapers because he

doesn't know if anyone is looking for it there. Phil Farbaniec stated that they would start to make contact by phone as he suggested. Zandy Gabriels asked if they are going to limit it to Bolton. Jason Saris stated that they should begin with the marinas in Bolton but not necessarily limit it to Bolton. He stated that they should look at a time limit for response. Phil Farbaniec agreed. Jason Saris stated that they could set it for mid September. Joel Jacko stated that he would like to set it sooner and suggested 9/8. Jason Saris stated that this Labor Day is a busy weekend for everyone and feels that they should allow for a little more time. Zandy Gabriels suggested 9/12 because it would give individuals 10 days response time which he feels is reasonable. Phil Farbaniec suggested 9/10. All Board members agreed to allow until 9/10.

Zandy Gabriels stated that they should set time frames for customers to be into and out of storage. Phil Farbaniec stated that last year they let people begin storage after October 15<sup>th</sup>. Jason Saris suggested that these boats are put into storage by October 15<sup>th</sup> or as space becomes available. He suggested that boats should be removed in the beginning of May and feels that anything sooner could be problematic given the weather and the amount of snow received over the winter. Joel Jacko stated that this should be discussed with the managers. Phil Farbaniec agreed.

#### New Business:

*Consider recommending candidate(s) [0,1 or 2] to Town Board for their nomination to BLDC Board-*

Phil Farbaniec stated that they have been discussing this issue and it seems that they are making a decision to add either 0 or 2 members to the BLDC. He stated that he doesn't feel like they need 2 new members and really only need 1, but recognizes that could cause problems with voting issues in having an even amount of members. He stated that if they choose to add 1 member they could remedy the problem by saying that the President doesn't vote unless there is a tie. Zandy Gabriels stated that this will affect the by-laws. Phil Farbaniec stated that they could change the by-laws to incorporate this change. Supervisor Simmes suggested that they not add anyone right now. Phil Farbaniec stated that it seems that this is the consensus at this point. Jason Saris agreed as long as everyone is comfortable with amount of Board members and the distribution of responsibilities and workloads.

Phil Farbaniec stated that the only place that they are lacking in right now is the communication with the public and he feels that they need some transparency and communication on a regular basis. Supervisor Simmes stated that they were doing that and will continue to do that. Phil Farbaniec asked who would be willing to take this responsibility to report more to the public. Jason Saris stated that when the Town first looked into purchasing Norowal he was the one who was in communication with the Town. He stated that he would come prepared at next month's meeting with suggestions on how to better communicate with the public.

Supervisor Simmes stated that some of the interested candidates have been asking about the decision and she feels that they need to make that decision and move forward.

## **RESOLUTION:**

Zandy Gabriels moved, seconded by Joel Jacko to not recommend any candidates to the Town Board at this time and to remain with seven directors for the Bolton Local Development Corporation. **All in Favor. Motion Carried.**

Phil Farbaniec asked if there were any other issues to discuss.

Jason Saris stated that he had some issues that Scott Andersen asked him to bring up.

1. Specials- Scott Andersen feels that these specials for Spring and Fall should be put into writing and it should be adopted and readily available. He feels that this should be the policy so that if customers call about it, it is not just a verbal agreement and it is offered to everyone. He stated that as Phil Farbaniec has stated they have an obligation to inform the public and they should be as transparent as possible.
2. Chaining the ramp in the off-season- Scott Andersen feels that there is an inordinate amount of business there when they are closed. Jason Saris stated that he has heard that some of their contractors do a lot of their launching and hauling when they are closed. He stated that they are not secretive about it either because they leave behind whatever mess they created there such as things for winterization. Supervisor Simmes asked why they have left the gate open. Jason Saris replied that they had left it down because they were trying to accommodate the fisherman who launch at 6:00 a.m. He stated that the fisherman either leave their launch fee in the door or they pay when they are leaving. Supervisor Simmes asked if the off-season was after Labor Day. Jason Saris replied that off-season is when the marina starts closing early but he is not sure when that is. Phil Farbaniec stated that goes into October. Zandy Gabriels stated that he heard the problem is more in the Spring. Supervisor Simmes asked if they knew how many fishermen use the ramp before hours. Phil Farbaniec stated that they could figure that out by looking at the payments on record. Jason Saris stated that the record will only show how many people launched and not the times that they launched. He stated that they had talked about different types of security systems at one time and maybe that is something they should revisit. Supervisor Simmes asked if Norowal always offered fisherman before hours launching. Jason Saris stated that they have always done this in the off season but no other marina offers this. He stated that when Buzz Lamb owned Norowal he allowed this as well, but if someone abused the privilege there would be consequences. Supervisor Simmes suggested that they chain it up and find out how many complaints they receive to see if it is worth offering in the first place. Jason Saris stated that Joan Baldwin would be okay with locking up the launch every night, but Linda Bennett would not. Zandy Gabriels stated that he looked at a security system for Norowal awhile back. Jason Saris stated that they could also look into hiring someone for security. Phil Farbaniec stated that something needs to be done in order to prevent this from happening. Jason Saris stated that they could do what Buzz did which was to warn the individual that if they were to do it again he would revoke all launching privileges. Phil Farbaniec stated that it was easier for Buzz because he was always right there. Jason Saris stated that if contractors lose their privileges they will not have another public area to launch other than Diamond Point. Supervisor Simmes stated that she would prefer that they lock the gate in the off season. Jason Saris agreed. Supervisor Simmes suggested that they could also split the

managers' hours so that one came in a little earlier and the other a little later to make sure that the marina is not being used. Phil Farbaniec stated that the gate should be chained unless someone is there. Jason Saris suggested that if there is a problem with locking it up, the Board would not have a problem with re-arranging their hours to accommodate the fisherman.

**RESOLUTION:**

Supervisor Simmes moved, seconded by Jason Saris to lock the gate to the boat launch at closing in the off season. **All in Favor. Motion Carried.**

3. Contractors' certificates of insurance- Jason Saris stated that Scott Andersen is concerned that certificates of insurance are not being kept current. Phil Farbaniec stated that the contractors have been notified and he has to follow up with what has been submitted and filed. Jason Saris stated that this needs to be enforced.
4. Review of dock license agreements- Jason Saris stated that these should be reviewed as well because they are contracts that protect Norowal. He stated that if these records have not been kept up diligently, they will need to impress upon the staff that this protects Norowal and they will need to enforce this as well. Phil Farbaniec stated that he feels confident that the license agreements are in order but will have someone go and check to see if the files are up to date and the staff is using the proper document.
5. Accounting of sales and inventory- Jason Saris stated that he would like the managers to produce an accounting of what was sold, how much was sold and how they determined the price. Phil Farbaniec suggested that they have the managers present at a meeting to discuss some of these issues. Jason Saris stated that he is concerned that there were things being sold that should not have been sold. Phil Farbaniec stated that the managers may not be able to produce any documentation or accounting for these items. He stated that he and Joel Jacko will discuss this issue with the managers.

Phil Farbaniec stated that he would like to leave the docking and parking rates the same as 2008. He stated that he is a little concerned as to what next year will be like. Jason Saris stated that he doesn't see next year being a problem because they are in a premium location. Zandy Gabriels suggested that they survey other local marinas. Jason Saris stated that most marinas have not considered their rates yet for next year. Phil Farbaniec stated that they did not raise the rate last year but they did change the way they measure the boats. Jason Saris stated that the only reason marinas would lower their rates are if they are in less desirable areas.

**RESOLUTION:**

Jason Saris moved, seconded by Zandy Gabriels to keep the parking, launching and docking fees at the same rate as 2008 season. **All in Favor. Motion Carried.**

Zandy Gabriels stated that Melvin is interested in moving his workshop to Mitzi's garage but he is not in favor of this. Phil Farbaniec agreed.

Supervisor Simmes moved, seconded by Jason Saris to adjourn the meeting at 6:30 p.m.

Next meeting: Wednesday, September 24, 2008 at 5:00 PM at Town Hall.

Minutes respectfully transcribed by  
Kristen MacEwan  
Recording Secretary