

**Bolton LDC Meeting- March 25, 2009**  
**State of New York**  
**Warren County**  
**Town of Bolton**

**Present:** Phil Farbaniec, Alexander G. Gabriels III, Jason Saris, Joel Jacko, Art Baker and Scott Andersen

**Absent:** Kathy Simmes

Phil Farbaniec called the meeting to order at 5:13 p.m.

**Public in Attendance:** Les Eggleton and Gary West

**Treasurer's Report:**

**New Business: DEC- Les Eggleton and Gary West**

*DEC MOU re: DEC dock assignments- agreement provided earlier*

*Written memorandum for NYSDEC Dock re-assignment-emailed. To BLDC on 7/22/08*

*DEC- Les Eggleton- Draft MOP*

*Draft MOP (Marine Operating Plan)- for review and revisions after which to be submitted to Mike Muller for comment*

Les Eggleton stated that he, Gary West and Kathy Simmes recently had a meeting to discuss: a location to sell fishing licenses at Norowal and the State's draft of the Marina Operating Plan (MOP). He stated that he left copies of the MOP with Kathy Simmes and Scott Andersen so that they rest of the BLDC Board could review it. Phil Farbaniec stated that the location and possibility to sell licenses will be dependent upon setting up internet service. Gary West stated that they would need telephone and internet service and it would be likely that they could be set up quickly.

Zandy Gabriels stated that last year the staff at Norowal moved the NYSDEC dock assignment from dock 3 to dock 2. Les Eggleton stated that he was aware of that change. Zandy Gabriels stated that Counsel Muller recommended that any changes to the Conservation Easement should be done in writing and he asked who he should be asking for sign off from. Les Eggleton stated that he would find out.

Zandy Gabriels stated that the TB has also discussed the possibility of the Town buying out the Conservation Easement from the State. Les Eggleton stated that Kathy Simmes did mention this and he would pass the word on to Albany. Jason Saris stated that as a TB member he can say that this is a very real possibility. Les Eggleton stated that this would need to be discussed with the people in Albany, but he is not so sure that they would be happy about it. He suggested that they talk to Rob Davies with regard to this matter.

Joel Jacko stated that they have a huge responsibility to their mortgage. A large portion of their profit comes from parking and he is concerned that the draft of the MOP included not charging for parking. Les Eggleton stated that he was not aware of the magnitude of their mortgage debt. Joel Jacko stated that he feels that at previous meetings they have made it quite clear that they need that income to meet their financial responsibilities. Les Eggleton stated that he mentioned no fees for parking because at other State boat launches/public launches they don't charge for parking. He envisioned running Norowal the same way. However, when he drafted this he wasn't aware of their full financial obligations.

Jason Saris stated that previously they dealt with different people at DEC who were aware of this but feels that this information was not passed onto them. He continued that the Conservation Easement was a little awkward because they were starting with something that was more commonly used with different types of acquisitions. The template that they started with was not a great fit. Les Eggleton agreed that they tried to make it fit the best way they could.

Les Eggleton stated that this was his first shot at writing the MOP and first time they have been able to review it and asked for them to bear with him. Phil Farbaniec stated that the parking would not be something that they could compromise on. He stated that their parking fees add up to approximately \$108,000 out of their \$700,000 income.

Joel Jacko stated that it was vaguely written in the Conservation Easement about the State contributing to capital improvements/repairs. He stated that they have already spent \$225,000. He stated that they discussed this at a previous meeting and the State acted as if they weren't planning on assisting them. He stated that they can't wait for money from the State to come in if they know that something needs to be done. Joel Jacko stated that between the suggestions for no parking fees and being solely responsible for repairs- they don't see long range plan from the State to assist them with their fiscal responsibility. Les Eggleton stated that unfortunately there is always a process they have to go through in order to receive funding or reimbursement. He stated that contribution will also depend on whether the State has the money when they need it. On a slightly different note, Les Eggleton indicated that the State will start paying 60% of the school and Town and County taxes for the marina, which should help some in their financial obligations.

Les Eggleton stated that they also did not intend to eliminate all parking fees, just the fee for day users. Scott Andersen stated that in the Conservation Easement it is very clear that they cannot give different groups different rates. He stated that they have stuck to those rules throughout. Les Eggleton stated that he felt that this would not be singling people out because locals, as well as visitors, could all get this discount if they were day users. Scott Andersen stated that he would like to get Counsel Muller's advice before they make a move on the parking. Art Baker asked how many day users they have. Joel Jacko replied that it is not even a possibility to consider because of their financial obligations. Art Baker stated that it might be helpful to show the State how much of an impact this would have on our finances.

Jason Saris stated that unlike previous operators of the marina, their commitment is to supply as much lake access as possible. He stated that it has never been about making the most money for the site. He stated that they got away from a lot of the services that were previously provided because they all took up space. They tried to design as much parking as possible and left other marinas to supply other needs, but unfortunately this also limits their source of income. If they wanted to make up the loss from parking fees, they would need to concession out buildings for more income which would then limit the amount of parking and again affect lake access and their financial obligation. Art Baker stated that part of the sustainability plan for Bolton includes finding the best to find more parking.

Jason Saris stated that the State has asked them how many parking spaces they have but the answer is not all that simple. The parking lot attendants are very experienced in their jobs and the amount of spaces depends on the size of the trailers and cars that are parked there. These individuals are very good at utilizing the space the best way possible, but it does vary greatly. He stated that on weekends and holidays even nook and cranny is filled. He stated that the Board has been talking about removing some of the current idle buildings on the lot to provide for more parking. Zandy Gabriels stated that Norowal has only maxed out of parking 5-6 times/season. He stated that they are not like other State run facilities and therefore cannot be run quite as identical to those sites.

Joel Jacko stated that the BLDC would like to submit their own draft of the MOP and have a collaborative effort with the State to achieve the final product. He stated it would be an advantage to them all to have a smooth operating facility and this plan should be workable for both sides. Les Eggleton stated that the MOP is just a draft and he was seeking their input.

Zandy Gabriels stated that the State wanted to see handicap parking taken care of. He stated that although the information may have gotten a little lost, but explained how handicap parking is accommodated which they feel meets their needs even more so. He stated that they have an unloading area next to the docks and ramp. Everyone has access to this area for loading and unloading so this does take care of handicap parking but maybe it needs to be better defined. Les Eggleton agreed and stated that it may need to be better defined. Jason Saris stated that they could designate spots in the parking lot for handicap parking but he feels that the parking lot location is not conducive for easy travel to the lake. He feels that the unloading area is a better place for handicap users to utilize and he would hate to see the true accommodation of these individuals stopped. Phil Farbaniec stated that from the unloading zone, individuals are no more than 100' from their boat. Les Eggleton stated that there is probably a way of wording that in their operating plan that would show how they are handling their obligation to handicapped people.

Joel Jacko asked if they were unique in the way of the State working with a local group in such an investment. Les Eggleton replied that there are some Towns with State boat launches but not in this type of investment. Joel Jacko replied that since they are unique then they need to be given uniqueness to handle their financial responsibilities.

Jason Saris stated that the State has asked about assignment of parking spots. He stated that they do not necessarily assign specific numbered spots to people but they are assigned daily. This personalized service also maximizes the parking, but he is not sure how they can put that into writing. Zandy Gabriels agreed that he and Jason Saris have tried to put this into writing several times but without success. Jason Saris stated that they have their own desire to accommodate day users because most of the time they are Town residents. He stated that they had a great deal of support from the Town residents entering into this venture and they have that commitment for them. He stated that part of getting involved in saving the marina was to always maintain lake access to the locals. Les Eggleton stated that he has yet to hear a complaint from anyone. However he feels that some people are rather sensitive because there are boat launches where they thought they were going to get space for their day users and they get filled up and there is no space left, so they added that clause to protect that notion. Scott Andersen encouraged him or anyone from DEC to come up on a weekend in the summer to see how well the parking system works and why a change would really disrupt things.

Joel Jacko asked if they State has decided on a different location for the office space. Les Eggleton stated that after looking at the spaces, they have decided to move across the driveway to the other building. They feel that it would better suit their needs. Scott Andersen stated that he should them 2 spots 1) behind the Manager's office and 2) the other building where Donnie would keep his parts. He stated that the BLDC has raised the concern about traffic flow and safety. He stated that they do not want kids or people walking back and forth across the driveway. He stated that the area behind the Manager's office also is suitable in size. Jason Saris stated that he felt that keeping the offices together would expedite the process. He stated that they are also concerned that some people will be using the State office to make a reservation but they are not going out that day. These people should be using the short term parking at the front of the building, but they are concerned that some make use the approach lanes which could cause a traffic flow problem. Gary West stated that he understands their concerns but knows that these lanes are slow moving or non-moving at times so the safety concern is minimal. He stated that they like the front entrance because it is very easy for people to get to, the phone and computers will be right there. This location was also high and dry, whereas the other spot was rather wet damp. This space also has the restrooms and laundry which also creates the need for people having to cross the driveway lanes. He stated that they are really seeking a spot to help expedite individuals camping or picnicking and saving them a trip to Glen Island and this could be a one-stop shopping for the public. Jason Saris agreed and stated that they are very excited about being able to provide this type of service. Joel Jacko stated that they are going to have to give this process some thought because it could really slow down the operation if they use both sides. Gary West stated that most times there is more than one person per boat and they could split up the responsibilities. Scott Andersen stated that they were just thinking the other building would work because they could have the 300 sq. ft. together. Gary West stated that they would prefer the heated office space because they don't need the storage space, they will just need 150 sq. ft. of heated space. He stated that this could be tried out for this year to see how well it works. Art Baker stated that boaters have to choose a lane as they approach and suggested that they get some proper signage to indicate the offices

and to be sure that they cannot park in these areas. Gary West stated that they also prefer the other building because there is very limited money and time that they would have to put in to set it up. Scott Andersen asked if they could have some time as a group to discuss the setup before committing to the space. Les Eggleton stated that would be acceptable.

Zandy Gabriels asked what the State would be selling. Gary West replied fishing licenses and camping. He stated that they would have to sort out the day use part of it because it involves point of sale on the day use. Zandy Gabriels asked how long the process would be to get a fishing license and camping reservation. Gary West replied that it would take a few minutes for each one. Joel Jacko stated that if someone is doing everything it could take then 8-10 minutes to complete the process which could create problems. Jason Saris stated that some of this would have to be managed. He stated that some people may have to launch their boats and come back to pick people up. He stated that the staff often reminds the boaters to get their boats untied and ready so this could be just part of the process as well.

Gary West asked what time the marina opens. Jason Saris replied 8 am and suggested that the State may want to consider having someone there at 7:30am to start taking care of reservations and fishing licenses which could help expedite the process. Gary West agreed. Art Baker asked what time frame or season they planned to operate out of their office. Gary West replied that they will open in mid-may and go until Columbus Day.

Phil Farbaniec stated that whatever agreement they arrive at it has to be entered into with the thought that it may have to be tweaked. Art Baker agreed and stated that they should have some time to talk about it and discuss it with the Managers as well.

Joel Jacko stated that the issue about the parking will not go away and it will need to be decided and they need the State to understand the financial responsibility. Zandy Gabriels stated that they are required to come up with reasonable prices according to the Conservation Easement for parking and launching. To do this they had the Managers survey all of the local marinas to find out what they are charging and then they came up with something in the middle. Les Eggleton stated that they have done something similar and came up with the same thing. Jason Saris stated that they also did similar comparison shopping for their fuel sales and dock rental rates. He stated that they explained all of this when they started out and they were very fortunate that the local business community had enough faith in them to do that as did the local marine trade association. Les Eggleton stated that the State has a similar philosophy in their camping facilities because they only offer basic amenities.

Zandy Gabriels stated that in the pre- and post season they run a special at Norowal. He stated that if individuals use the launch during these times they are receive free parking. He stated that they have never heard any complaints from any of the fishermen. Les Eggleton asked what they consider pre- and post season. Zandy Gabriels stated that pre-season is about 2 weeks before Memorial Day weekend and they run until with some good weekends through Columbus Day. He stated that they have had issues with leaving

not putting a chain up on the ramp due to abuse in the honor system. If they were to open the chain earlier to accommodate the fisherman they would need to know what time the fisherman like to go out so that they can go about planning to accommodate them. He asked Les Eggleton if he had any suggestions as to a good time frame for them to open for the fishermen. Les Eggleton replied that most fishermen like to be out by sunrise.

Art Baker stated that the problem with the honor system is not with the fisherman but rather some of the routine haulers. Jason Saris stated that they can explore other options for security but they have to be willing to pursue and follow-through with those other options. Gary West suggested that they issue a commercial permit to those commercial haulers to get revenue from them. Jason Saris stated that the problem is that until they catch them there is no motivation to buy a permit. Scott Andersen asked how much they should charge for a commercial permit because these haulers could then be there all summer clogging up their ramp. Joel Jacko stated that they already talked about staggering the hours of the managers. Zandy Gabriels stated that he raised this issue so that they could get some input on some realistic hours for the fishermen. Gary West stated that prime fishing season is after ice out until the water warms up, nothing in July and August and then picks up again after Labor Day. Les Eggleton stated that they could give them some suggested time frames for the fishermen.

Les Eggleton asked if he could have a copy of Norowal's MOP. Zandy Gabriels replied yes. Joel Jacko stated that he would like to continue to operate as is until they can agree on a MOP. Les Eggleton replied yes.

*DEC trash form Island Campers- being deposited in NMI receptacles-  
action/alternatives?*

Phil Farbaniec stated that when they met the first time the State was extremely happy to find out that they had a dumpster service. Most of the garbage comes from the island users. He requested that if the State utilizes the office space at Norowal that they contribute towards that cost. He stated that the total cost for the summer can run up to \$3,000, which is a substantial amount and he requested that they share the cost.

Scott Andersen stated that the State has their own waste truck that comes 2 days a week. He asked if 2 of the dumpsters were at Norowal and the truck came to remove the trash. Gary West replied that they could work together.

The Board thanked Les Eggleton and Gary West for meeting with them. They planned to follow-up with the State on the issues discussed and with a final decision on the office space for DEC.

*Board's Response to DEC's interest in day use of facility-*

Joel Jacko stated that he thought they should think of some alternative sites to provide the State some choices. Jason Saris stated that he was okay with allowing the preferred space since the State is willing to not have it carved in stone. Additionally, there is little or no cost involved in getting that location ready for the season.

Joel Jacko stated that he is concerned with expediting the whole process with the addition of the DEC office. Scott Andersen stated that both DEC and the Norowal staff will need to keep things moving along. They will need to be aware of any parking issues/ramp congestion and will need to address any problems quickly and effectively. Joel Jacko asked if the Board thought it was feasible to have people launch, dock and then go in to get any other permits. Zandy Gabriels replied yes as long as they pay their launch fee. Scott Andersen agreed.

Joel Jacko stated that another issue that they will need to handle is that Norowal should be open when DEC is open. He stated that they will need to stagger the hours of the staff. Scott Andersen stated that Joan Baldwin is in favor of having the chain up because she is tired of hearing people complain about others abusing the honor system. He stated that they have to decide soon how they are going to handle the chain. Joel Jacko stated that he feels that staggering the hours is the best solution and he would like the chain up after hours. Scott Andersen agreed. Jason Saris stated that he understands what Joel Jacko is suggesting but he is trying to be as flexible as possible. He feels that there may not be enough frequency of use in the early hours to justify staggering the hours. He stated that he leans towards the camera for security because it will be the only way they can catch someone. When they catch them, then they not only get paid but they can make the offender understand if they are caught again that they are going to lose their privileges and a third time and it will become a police matter. With regard to the concern of having to watch the tapes, Jason Saris stated that some are set up with motion sensors and they can just forward quickly through whatever tape they do get. He doesn't feel that hit would be that terrible of a task. Art Baker agreed. He stated that it also might lower their insurance rate.

Scott Andersen stated that he was more in favor of staggering the hours of the staff because he feels that there will be a reluctance to watch the tapes. The staff will come in and just re-set the tapes without watching them and they will never catch the offenders. Joel Jacko agreed and suggested that they could utilize Melvin as well as the managers.

**Resolution:**

Joel Jacko moved, seconded by Scott Andersen to have staggered hours for the staff at Norowal and for the chain to be up when Norowal is closed. All in Favor. Motion Carried.

Jason Saris suggested that if they find that there is a problem with implementing this that they try a different alternative. Zandy Gabriels asked what time do they want to open. Scott Andersen replied that they should consult with the managers. Jason Saris stated that if they decide to hire someone to assist them in covering the hours that they really don't need to collect the money up front. Art Baker agreed and stated that their cars will be there and they could always pay on the way out. Jason Saris stated that they could also consider changing Melvin's hours to have him start work at 6:30am and end at 3:30pm. Art Baker agreed.

Phil Farbaniec stated that in the next few weeks they should really bring the managers in for a meeting.

Joel Jacko stated that they should take some action on the DEC office space. The Board agreed.

**Resolution:**

Joel Jacko moved, seconded by Zandy Gabriels to permit the DEC use of office space in their preferred area on a trial basis. All in Favor. Motion Carried.

Zandy Gabriels stated that he had a letter to Supervisor Simmes regarding a request for UDAG funds. Phil Farbaniec stated that he has signed it. Zandy Gabriel stated that he needs some Norowal stationery and a \$9 check to send to the Department of State. Joel Jacko stated that he would handle that.

**Old Business:**

*NYS DOT letter regarding sidewalks and purchase of property along 9N entrance.*

Scott Andersen stated that he is still working with Mike Muller regarding the easement with State on Route 9N.

The Board decided to have a workshop meeting before the next scheduled meeting. They also decided to have the managers present at the April 22<sup>nd</sup> meeting.

**Executive Session:** None

**Adjourn**

**RESOLUTION:**

Joel Jacko moved, seconded by Scott Andersen to adjourn the meeting at 7:05pm. All in Favor. Motion Carried.

**Next meeting:** Wednesday, April 22, 2009 at 5:00 PM at Town Hall.

Minutes respectfully transcribed by  
Kristen MacEwan  
Recording Secretary