

Bolton Local Development Corporation Minutes - June 29, 2006

Present: BLDC members: J. Buckley Bryan, Jason Saris, Alexander G. Gabriels III

Town Board members present: Alexander G. Gabriels III, Councilmen Andersen, Saris, Maranville and MacEwan. Counsel: Michael Muller and Town Clerk: Kathleen Simmes

Interested parties present: Walter & Cheryl Lamb, Roger Phinney, Tony Hall, Ron Alcan, Donald Rhodes

Alexander Gabriels called the BLDC meeting to order at 7:00 p.m.

Mr. Gabriels: Richard Bartlett is coming in from New York City and his train has been delayed. He called and stated that he is in agreement with what Counsel is presenting at this meeting for consideration.

Mr. Saris moved seconded by Mr. Bryan to enter into executive session at 7:15 p.m. to discuss contract matters.

Mr. Bryan moved seconded by Mr. Saris to return to regular session.

Mr. Bartlett arrived during the executive session.

Mr. Bryan moved seconded by Mr. Bartlett to adopt the following resolution:

IT IS HEREBY RESOLVED that The Town of Bolton Local Development Corporation, a New York Not-For-Profit Corporation and holding corporation for its wholly owned subsidiary NoRoWal Marina, Inc., shall act in such manner so as to approve the transfer, conveyance and assignment to be granted by the NoRoWal Marina, Inc. to The Town of Bolton and NoRoWal Marina, Inc. by its Managing Agent J. Buckley Bryan, Jr. is hereby authorized and directed to effectuate and facilitate by execution of all necessary and required documents to convey a Conservation Easement (CE) to The Town of Bolton for the purpose of establishing a public marina facility in perpetuity upon the lands and premises of NoRoWal Marina, Inc. at the waters of Lake George situate in the Town of Bolton. This conveyance of a Conservation Easement shall constitute a permanent limitation of future development and building rights while ensuring a right of public access for boaters to the water and islands upon Lake George and such Conservation Easement will be recorded in the Warren County Clerk's Office and deemed a permanent covenant intended to "run with the land".

The forgoing resolution was voted upon as follows:

ROLL CALL VOTE of BLDC

FAVORABLE

AGAINST

Alexander G. Gabriels III

yes

Jason Saris

yes

J. Buckley Bryan

yes

Richard Bartlett

yes Motion Carried

Counsel explained that the assignment of the Conservation Easement purchase agreement which has to be signed by the Bolton Local Development Corporation pursuant to the above resolution by J. Buckley Bryan as managing agent for the NoRoWal Marina Inc.

Mr. Saris moved seconded by Mr. Gabriels to authorize the following:

IT IS HEREBY RESOLVED that the NoRoWal Marina, Inc., being a wholly owned subsidiary corporation of The Town of Bolton Local Development Corporation (BLDC), upon instruction and by direction of the BLDC, shall act through its managing agent J. Buckley Bryan, Jr. to effectuate and facilitate by execution of all necessary and required documents to convey a Conservation Easement (CE) to The Town of Bolton for the purpose of establishing a public marina facility in perpetuity upon the lands and premises of NoRoWal Marina, Inc. at the waters of Lake George situate in the Town of Bolton. This conveyance of a Conservation Easement shall constitute a permanent limitation of future development and building rights while ensuring a right of public access for boaters to the waters and islands upon Lake George and such Conservation Easement will be recorded in the Warren County Clerk’s Office and deemed a permanent covenant intended to “run with the land”.

Roll Call Vote of BLDC:

	FAVORABLE	AGAINST
Mr. Saris	yes	
Mr. Gabriels	yes	
Mr. Bryan	yes	
Mr. Bartlett	yes	Motion Carried

Mr. Gabriels moved seconded by Mr. Saris to adjourn at 7:55 p.m.