

**Bolton LDC Meeting- March 12, 2008**  
**State of New York**  
**Warren County**  
**Town of Bolton**

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

Phil Farbaniec called the meeting to order at 5:07 PM.

Public in Attendance: Mark Hess and Dennis Murphy

1) Mark Hess of Candlelight Lodge and Cottage, 5258 Lake Shore Drive, commended P. Farbaniec and J. Saris on their presentation at the Bolton Chamber of Commerce meeting. He stated that they were very informative and answered a lot of questions. He commented that since the BLDC has taken over Norowal some of the buildings are sitting dormant and provided a few ideas for use. He understands that they are able to utilize the buildings with businesses as long as they are not competing with other businesses in Bolton. J. Saris explained that they have two considerations 1) to comply with the terms of the Conservation Easement, because the uses have to be consistent with supplying lake access and marina type operations and 2) the BLDC's commitment to the public when asking for their support that they would not be competitive with other businesses in Town. He stated that the latter is more a judgment call from the BLDC, they will listen to any proposals, but will need to weigh them with that in mind. Mark Hess asked if there was room for argument for an establishment or activity to move into those vacant buildings. J. Saris stated yes, they would have Counsel review the proposal from a Conservation Easement point of view and then have the BLDC look at it from their perspective. Mark Hess stated that at the Candlelight Lodge, their customers ask frequently for local activities in Bolton Landing. He stated that when they go down through the list there isn't much right in Bolton Landing and people have to travel to Lake George, Queensbury or Glens Falls to see attractions or participate in activities. He suggested possibly enhancing the Bolton Rec Center and move it to this location. He stated that on a rainy day on the islands people are looking for things to do. He suggested an indoor mini golf, basketball or volleyball for the summer. He feels as though they could request bed tax money to assist in paying for it because it would be enhancing tourism. He stated that if they did something like this it could be available year round. J. Saris stated that it would be hard to do something year round because the buildings are not winterized and that would be a long term project.

J. Jacko stated once the bathrooms are completed a potential project is to create a lounge area which could potentially house certain activities. He continued that they have accomplished a lot in the first two years and they plan to continue with the same energy to make Norowal a great place for Bolton. He thanked Mark Hess for his comments and stated that they will take them into consideration.

Mark Hess commented that since the BLDC has taken over Norowal Marina his guests have complained that they are now being charge for transient docking. As a result his guests will not use Norowal Marina. He found out that this was one of Buzz's policies. However, it was rarely enforced because the managers would keep track of who was staying where in Town and would not charge guests that were staying in the local motels. He stated that at the Chamber meeting there was some discussion over having a free two hour transient docking. He feels if they could provide some sort of free time limited docking that it will have a positive affect on all businesses in Town. He requested that if that does go into action that they have some sort of signage indicating the area for transient parking or if there is a charge that it is posted with the pro-rations for the service.

J. Saris explained that when they took over Norowal, they took Buzz's policies and put them into effect. Since then they have come to find out that some of these policies were overlooked or handled differently and they did not intend to put anyone off. He stated that the lack of transient docking is an issue everywhere in Town. The Town is looking into a major dock expansion of Rogers Park to allow for more visitors to come into Town. He stated that they also hope to do the same at Veterans Park, but need to do some dredging of Finkle Brook first. He stated that the BLDC has been trying to find the right balance of seasonal docking, transient docking, docking of DEC boats and temporary docking for launching and retrieving individuals. He feels they have not gotten it right yet, but they keep working on it. He stated they have also considered the possibility of the Town renting some dock space to leave open for transient docking. J. Jacko stated that in being able to best accommodate the tourists needs the Town will have to work in cooperation with the BLDC and Norowal Marina to provide better access and more activities. Z. Gabriels suggested that they could consider cutting one seasonal dock and providing an area for transient docking.

P. Farbaniec stated that they have not been consistent in transient docking due to lack of policy. They also are dealing with certain space limitations to allow for a certain number of DEC boats, which last year they did not use. This resulted in lost space and money. J. Jacko agreed and stated that they should have better communicated with DEC on a daily basis to find out how many spaces are needed. This would have allowed them to use those additional spaces for customer use. P. Farbaniec stated that he would like to see some sort of free transient docking. It would be free for the first two hours and then they would charge a fee if they were to stay longer. Mark Hess suggested that they look into installing a metering system for these docks.

P. Farbaniec stated that he appreciated Mark Hess' comments and that they would take them into consideration. He hopes that they will have their policies and procedures completed soon to better answer all questions. Mark Hess suggested that they utilize a customer survey or comment card for input. He explained that when he and his wife took over the motel business they utilized comment cards in the rooms for the first year and found it very helpful in providing better service and making necessary improvements.

2) Dennis Murphy stated his interest for consideration to become a Board member on the BLDC and has submitted a letter of intent to Supervisor Simmes. He stated that he has no experience in the marina business, but does have experience in fundraising and book keeping. He has been a resident for 7 years but had been vacationing in the area prior to that. He stated that he is retired and is willing to volunteer his time to serve on this Board. P. Farbaniec explained the process of election to the BLDC. He stated that the BLDC does not make that decision, but they do pass recommendations to the Town Board for consideration. The Town Board interviews the candidate(s) and appoints the selected candidate. He stated that the next TB meeting is April 1, 2008 and it will be discussed at that time. He welcomed Mr. Murphy to stay and participate in the meeting with any questions or comments.

Treasurer's Report:

Checks to ISP for BLDC & Norowal web site hosting- \$250.00

Z. Gabriels stated that this was for end of February, the invoices may have been lost due to anti-spam software on Lori LaGoy's computer. P. Farbaniec authorized payment. Z. Gabriels asked if this is a BLDC or Norowal charge. J. Jacko stated that it is BLDC and they should remain consistent with their bills to make sure that they are being paid out of certain accounts. J. Saris suggested asking CMJ, LLC for guidance in determining what bills should be paid out of each account. J. Jacko reminded the Board that any checks coming from the BLDC will now require two signatures.

Lori LaGoy for monthly web development- \$25 for March  
What changes would Board like to see on this site?

P. Farbaniec asked if they wanted to have someone attend a meeting to discuss updating the website. J. Jacko commented that they have a great base for their website using A. Baker's flyer that he made for the Boat Show. He feels that they should work off the ideas on the flyer. J. Saris agreed and feels that they should have it ready for the season. He suggested that A. Baker get together with Lori LaGoy to get the website set up. A. Baker stated that he will work with Lori LaGoy on a one page website that will include operating hours, list of services, and contact information, including email. P. Farbaniec stated that utilization of a web marketing service such as Mannix, will be tabled for future discussion. Z. Gabriels stated that he recalls this type of service to be very expensive and does not know if it would be necessary to spend that much money. The Board agreed.

Draft 2007 BLDC Balance Sheet, BLDC & P&L; Norowal Balance Sheet;  
Norowal P&L- emailed 3/12/08 in pdf format from CMJ, LLP

Z. Gabriels provided copies of the Balance Sheets and asked for any comments or questions. P. Farbaniec commented that he did not see any expenditures listed for the

new launch ramp. They have spent over \$100,000 and he is concerned that it is not reflected on the Balance Sheet. J. Jacko stated that they have not completed the project but they have turned in all of the paperwork, invoices and receipts. P. Farbaniec stated that his point was that the bottom line will be affected.

S. Andersen commented that line item 9550 LGPC Income should have a dollar value because Norowal is the largest ticket seller they have and they receive a dollar back for each ticket.

P. Farbaniec commented about the inventory. S. Andersen stated that has contacted and will continue to contact CMJ with all of the necessary information regarding the sold inventory. He stated that at one point there was a very detailed inventory list, but since they have been selling items, many things have been sold without record of it, which makes the list of inventory less accurate. He stated that there are some items left. They are less current and more difficult to sell, however he and J. Saris feel that they will have them sold shortly for about \$15,000-20,000 for the whole lot. They are selling it to another marina "as is". J. Saris stated that with being in business for 30 plus years, inventory is accumulated over time from over ordering or inability to return parts. Each item in the inventory has a set price from the manufacturer. When Buzz sold the marina to the BLDC he had a detailed inventory to show the value of the marina. However, twenty-five percent of this inventory is out dated, which is really hard to sell and of little value to anyone. A. Baker asked if they could open this up to the public for sale. J. Saris stated no, whoever they sell the inventory to will get the good with the bad. S. Andersen stated that they attempt to sell to other dealers or individuals in the industry rather than a retail customer for the reason of fitness of merchantability. He continued that they have a waiver that each buyer signs freeing the BLDC from any liability, with a copy of their tax ID number and a copy of their retail certificate.

J. Jacko stated that their CD's are not listed, but wanted the Board to know that they are constantly rolling over. Z. Gabriels stated that it is listed under assets on the Norowal Balance Sheet.

#### Old Business:

*Minutes of February 27, 2008 were emailed for review, changes or ready to post?*

P. Farbaniec stated that he would like to see the last paragraph removed from the February 27, 2008 minutes because that topic should have been discussed in Executive Session. Z. Gabriels asked if he should have the minutes posted once they have been corrected. P. Farbaniec stated that he would like to hold off until everyone has been able to review the minutes fully. He continued that he would like to have the policy that the previous meeting's minutes be ready for posting by the next meeting.

*Formulate and adopt BLDC 2008 budget a pro forma emailed in pdf format 2.25.08-*

P. Farbaniec suggested that they have a separate meeting or session to formulate a budget. He stated that they could work from some of the numbers from the 2007 P & L for BLDC and Norowal Marina, Inc. A. Baker asked if he would like to have a sub-

committee work on the budget. P. Farbaniec agreed and stated that J. Jacko volunteered at the last meeting. S. Andersen stated that he recalls that both J. Jacko and P. Farbaniec would work on the proposed budget. P. Farbaniec asked if anyone else would like to volunteer to assist. A. Baker stated that he would like to sit in on the meetings but is not well versed. It was decided that P. Farbaniec, Z. Gabriels and A. Baker would work on the proposed budget for the next meeting. Z. Gabriels stated that Sara from CMJ also indicated that she could assist them in this regard. P. Farbaniec stated that they are not ready to reach for that level of talent yet and feels that they can take a lot from last year and work from that.

*Verizon Easement request-*

P. Farbaniec described the Easement details. He is concerned because Verizon is going overhead and crossing over both roads and feels that they should be going underground to not interfere with larger boats or sail boats. He stated that they have not had any further contact with Verizon since last fall and he will be making contact to discuss this issue.

*Status of two buildings- shed and metal, three sided building- various contractors in Bolton, Digital pictures for historical purposes- taken? Archived location- possible to include on web page?*

P. Farbaniec asked if the Board would like to authorize him to make some arrangements with Don Kingsley. A. Baker stated that Barry Persons has submitted a bid in a sealed envelope. P. Farbaniec stated that he will keep it sealed, and will ask Don Kingsley to submit a sealed bid as well. P. Farbaniec asked if they have contacted everyone necessary. A. Baker stated that he still needs to contact Rueben Ellsworth.

A. Baker stated that he has spoken to one of the managers who has shown concern over the removal of the metal building and questioned whether or not they may be jumping the gun. He stated the building acts as a barrier from Sagamore Road with regard to visibility into the marina. He questioned how much they will gain by removing the metal building. J. Saris stated that he doesn't feel that this building fits any of their activities well. If they continue to store boats or other marina equipment, they will not be able to park in front of the building. A. Baker suggested that they open up the Sagamore Road side of the building as well so that both sides could be used. J. Saris stated that they could close off the one side and open the Sagamore Road side, they could utilize the closed side for parking and keep all of the parked cars together and use the other side for the self launching. He stated that theoretically they could sell an indoor spot for more than an outdoor spot. A. Baker agreed. S. Andersen stated that if they open up the Sagamore Road side they would have to give up more rental spots in order allow for boats to pull in and out. He stated that there is much more utilization of space if they were to remove the building and they could fit more vehicles. He agrees that they would get more money for covered self-park and launch but feels that they will still get the money whether the building is there or not. He feels that removal of the buildings will allow for more parking and will enable them to rearrange things. J. Saris stated that if they grow the self park and launch side of the business, they can consider creating a

structure that lends itself to that. P. Farbaniec stated that he likes the idea of wiping the slate clean and being able to layout the marina in a better manner. J. Saris stated that they may need to be prepared to put up some sort of barrier or fence when the building is removed to maintain the separation that the building now serves for traffic control issues. Z. Gabriels also suggested that they consider putting some shrubbery on the roadway for visual effects. Supervisor Simmes suggested that they first have the layout of the parking lot before they decide on shrubbery. The Board agreed.

*Consider contract for seasonal self serve launching- legal/administrative?*

P. Farbaniec stated that since it is their goal to get this self park and launching service into effect for this season they will need to get some policies or rules for the Boat Show. S. Andersen stated that he has drafts of contracts and policies for the self park and launch but is not prepared for the managers to use them at the show until they can be finalized and approved by the Board and Counsel. He provided copies of the drafts and gave a brief overview of what the contracts included. He stated that most of the information was taken from a seasonal dock rental agreement that was drafted by Counsel and was modified to fit this service. S. Andersen welcomed all comments and questions.

J. Saris stated that they do need to specify their policy on temporary docking and what courtesies are they going to extend to their customers. He feels that these people are entitled to the same privileges as someone who is a one time launch. However, before these policies are put into place he feels that they should provide some language in the self park and launch agreements that states they are subject to the Norowal Marina transient dock space policy, like all regular launching and parking customers are. Once the policy is completed it should be posted in the office area for customers to see.

S. Andersen asked if the Board members could review the draft of the self park and launch agreement in the next few days and comment on any necessary revisions he could get something quickly together for Counsel to review and then put into use, but stated that it will not be available for the Boat Show. P. Farbaniec agreed and stated that the managers should just be taking a list of potential customers and then when the agreement is ready it can be sent to these individuals. J. Jacko asked if the self launch was predicated on the removal of the buildings. P. Farbaniec stated no. S. Andersen stated they could do it without removing the buildings but it would provide less space to work with and they should limit the number to start with.

Supervisor Simmes suggested making it easier for the managers by using some sort of stickers to recognize the self launch individuals. The use of stickers will also prevent these individuals to give their pass to another individual. S. Andersen agreed that they could come up with something like that. J. Saris stated that they will need some signage as well to designate the area.

Z. Gabriels stated that they are not to be held responsible according to this agreement or their indemnification clauses. S. Andersen agreed and stated that each of the self launch and park individuals will be required maintain insurance on their boats and trailers. A.

Baker asked how they will check the insurance. S. Andersen replied that it would be the managers responsibility. P. Farbaniec asked if they should request insurance information on the agreement. S. Andersen stated that they make mention that they have to have insurance but they don't require proof. J. Saris stated they could ask for their insurance carrier and policy number on the agreement. J. Jacko agreed and suggested that they provide proof as well. S. Andersen agreed that they could make a copy of their insurance and attach it to the agreement. Z. Gabriels suggested that they have a Norowal representative sign the agreements as well. S. Andersen agreed.

A. Baker stated he was comparing the self launch and park service fee and daily launching and parking fees and wondered if the price was fair. P. Farbaniec stated that there is a convenience factor of not having to haul their boat back and forth each time. S. Andersen agreed and stated that so many people ask him to keep their boat in his upper lot for a week and they are willing to pay anything to not have to tow their boats back and forth each visit. This is what creates that value in the first place. S. Andersen stated that it is expensive but in comparison with other marinas in the area it is on the low end and reasonable. He stated that the market will dictate whether their price is right.

A. Baker was concerned that 10 minutes will not give individuals utilizing this service enough time to launch and tie up their boat, load the boat, park the car and get back to the boat to leave. J. Saris agreed. He feels that the number has to be reasonable and whatever they decide it should match their regular launching policy. He feels that they should discuss this with the managers for their input. S. Andersen stated that most marinas have a small window for dock usage due to the quantity of boats launching and they will have to come up with a reasonable number to best accommodate everyone. J. Saris agreed that they need to facilitate this area quickly to be able to keep the flow of traffic going. S. Andersen stated that a lot of the enforcement of this policy is going to fall into the managers and employees hands. Z. Gabriels agreed and stated that the employees will need to be aware of this responsibility. S. Andersen stated that the public will force them to maintain that timeframe. J. Jacko stated that it should not be too large of a window because people could take advantage of the increased time. He feels they should have 10 or 15 minutes and leave it up to the managers' judgment to make sure things are moving as quickly as they can. S. Andersen stated that he could increase it to 15 minutes.

*Contract for dock rentals- any changes?*

P. Farbaniec stated that the only change is in how they are measuring the boats and that there are no other changes that he is aware of.

*Public Officers Liability Insurance- status coverage?*

P. Farbaniec asked Z. Gabriels to look into this ASAP. Z. Gabriels stated that he has already done so.

New Business:

*Boat Show- attendance- materials secured? March 13-16*

A. Baker stated that they need copies of the flyers and asked how they wish to handle the cost and asked how many copies he should start with. Z. Gabriels suggested starting with 500 copies and if some are left they can use them throughout the season. S. Andersen reminded them of the volume of individuals that attend the Boat Show and suggested that they be prepared and plan accordingly. J. Jacko agreed.

Z. Gabriels asked if those working the booth will have to pay admission. S. Andersen replied no, he can get credentials for any individuals working each day and requested a list so that he could have those available.

*Next meeting Wednesday, March 26, 2008 @ 5:00 p.m. Town Hall.*

P. Farbaniec stated that he is concerned because April is coming up rapidly and they still need to discuss the staff and managers in terms of educating them and communicating with them. S. Andersen agreed and stated that they should meet in Executive Session to discuss personnel issues. Then they can go forward with meeting with the managers. The Board members agreed.

Executive Session: The Board entered into executive session at 7:05 p.m.

Executive Session closed and the meeting was adjourned at 7:25 p.m.

Minutes respectfully transcribed by  
Kristen MacEwan  
Recording Secretary