

LDC – Public Minutes April 13, 2005

Bolton Local Development Corporations

Present: Scott Andersen, Buck Bryan, Alexander G. Gabriels III, Jason Saris, and Edward White (arrived at 7:00 pm)

Absent: Ron Alcan, Richard Bartlett and Town Counsel Michael Muller

REGULAR MEETING

Z. Gabriels called the regular meeting to order at 5:27 pm.

ANNOUNCEMENTS:

- Even though there may be three (3) or more Town board members in attendance at the LDC meetings, the NYS Open Meetings Law bars members from discussion and certainly deciding any Town Business. Z. Gabriels said the LDC meetings are for LDC issues only.
- The Directors of the LDC made a unanimous decision that any and all material discussed at the LDC meetings will be posted for the public on the Town Websites. www.town.bolton.ny.us and www.townofboltonlanding.com , with the exception of any items related to contract negotiations, which would remain private information.

PUBLIC IN ATTENDANCE:

- Dan Behan and Frank Perillo made a presentation on the alternative private sector partnership plans for NoRoWal Marina. Mr. Behan said they are not trying to compete with or go against the Town of Bolton in the LDC's path toward acquiring NoRoWal Marina in partnership with New York State, but he proposed that if for some reason the intended partnerships don't materialize as the LDC hopes, that he and Mr. Perillo will be willing to partner with the LDC and the Town of Bolton. Mr. Behan said he and Mr. Perillo have successful marina background experience and he said a viable condition exists to run the operation as a full functioning marina if the LDC so chooses. Mr. Perillo said he has been with Dunham's Bay since 1984 and he is willing to enter into a partnership with the LDC for the long-haul and he said that he is not in the contracting business and has no intention of subdivision of the property. Mr. Perillo said that they are only offering partnership if things don't work out as the LDC and Town of Bolton currently have planned. Mr. Behan asked if Mr. Lamb's first preference is for the LDC and the Town of Bolton to purchase the NoRoWal property, to which Z. Gabriels answered yes. B. Bryan asked Mr. Behan and Mr. Perillo if they would be willing to accept a clause in the deed that the land would forever be a marina, if the New York State, LDC and Town of Bolton partnerships don't come to fruition, to which Mr. Behan and Mr. Perillo both answered yes. Mr. Behan and Mr. Perillo distributed to the meeting attendees, a list of options for possible partnership with the Town and LDC if the partnership with NYS falls through and they said they are willing to talk in more detail and discuss a possible partnership.

COMMITTEE REPORTS:

Saris: None

Alcan: None

Bartlett: None

Bryan: None

Gabriels: Z. Gabriels, M. Muller and J. Saris to meet with David D. Kaiser, VP, Glens Falls National on Thursday, April 14,

2005 at 2:30pm at Glens Falls National Building on 250
Glen Street

NEW BUSINESS:

Z. Gabriels introduced Jennifer Torebka as minute taker for LDC's Wednesday night meetings.

Regarding revising LDC By-Laws to provide expanded membership on LDC Committees, B. Bryan said the LDC By-laws don't prohibit expanded membership on LDC Committees, so it should be allowed. The LDC Directors were in agreement.

Regarding the request Bolton Occupancy Tax funding – per Mike Muller, Z. Gabriels said the Town of Bolton will be getting an additional \$75,000.00 from Bolton Occupancy Tax Funding which the Bolton Occupancy Tax committee has suggested be used toward the Town of Bolton purchasing and/or operating of NoRoWal Marina. He said that Town Counsel feels the use of the funds would be acceptable.

RESOLUTION #1

J. Saris moved, seconded by B. Bryan to approve the following resolution prepared by Town Counsel:

WHEREAS the Town of Bolton Local Development Corporation as a Not for Profit corporation seeks financial assistance in the acquisition of the Norowal Marina site within the municipality and at the waters of Lake George for the stated purpose of acquiring and maintaining a public boat launch, public docking, public parking and public lake access point to the waters of Lake George and the state island campgrounds in a continuing and long term effort to maintain and enhance tourist access

and tourism in the Lake George watershed and specifically in the Town of Bolton, and

WHEREAS the Town of Bolton has available to it for tourism promotion and tourism activities certain Warren County Occupancy Tax revenues which constitute a resource for the activities contemplated by the acquisition of the Norowal Marina by the Town of Bolton Local Development Corporation,

NOW and THEREFORE be it RESOLVED that the TOWN OF BOLTON LOCAL DEVELOPMENT CORPORATION shall and hereby does authorize its Board of Directors (and their agent) to apply for and do all things necessary to acquire such available funding from such available resources for the purposes of supplementing the costs, expenditures and legitimate expenses incurred (and to be incurred) in the process and activities of acquiring those specified properties as a public marina and tourism access site/facility including and to do all things necessary that may be required to acquire such funding now or in the future as such revenues may become available as a resource for the purposes specified.

Dated: April 2005

All favorable. Motion carried.

APPROVE PAYMENT OF LDC BILLS:

There were no LDC bills to pay.

EXECUTIVE SESSION:

Began at 6:13 pm and concluded at 7:33 pm.

Meeting adjourned at 7:35 pm.

Respectfully submitted by

Jennifer Torebka

Recording Secretary

04/19/05