

Bolton Local Development Corporations

Present: Richard Bartlett (departed at 6:15 pm), Buck Bryan, Alexander G. Gabriels III and Jason Saris. Ron Montesi, Special Assistant for the NYSDEC was present for part of the Executive Session only (departed at 6:10 pm).

Absent: Ron Alcan, Scott Andersen, Edward White and Town Counsel Michael Muller

REGULAR MEETING

Z. Gabriels called the regular meeting to order at 5:06 pm and immediately went into Executive Session.

**EXECUTIVE SESSION:**

Began at 5:06 pm and concluded at 6:35 pm.

THE REGULAR MEETING CONTINUED AT 6:35 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.

**PUBLIC IN ATTENDANCE:** There was no public in attendance.

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**COMMITTEE REPORTS:**

Saris: None

Alcan: None

Bartlett: None

Bryan: None

Gabriels: Z. Gabriels, M. Muller and J. Saris to met 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. Z. Gabriels said the meeting went well and two follow-up calls have been made by Glens Falls National. Further discussion on this item can be seen on the New Business Section.

**NEW BUSINESS:**

Regarding the need of the TB and LDC to figure who to presently pay Jennifer Torebka for minute taking of the LDC as agreed upon at \$12.83/hour. From Memo from Z. Gabriels to Jennifer Torebka of April 11, 2005: "Applying this approach to the presumed working of the LDC, a two hour meeting and imputing an additional 3.5 hours per each meeting hours equates to a total of 9 hours per meeting. At \$12.83/hour each meeting would total **\$115.47.**" LDC Directors tabled the matter for the April 27, 2005 LDC meeting when presented with further information.

Regarding Van Dusen & Steves, Z. Gabriels said Van Dusen & Steves will pin Norowal property and Matt Steves will be on site early next week (April 25, 2005). He said the LDC received notification on Thursday, April 14, 2005 that there was apparently one small problem with the map per Mr. Lamb. Z. Gabriels said the Van Dusen & Steves bill for services to date is \$2,400.00 plus \$250.00 for boundary line adjustment map, totaling \$2,650.00 to be paid.

## **RESOLUTION #2**

J. Saris moved, seconded by B. Bryan for the LDC to pay Van Dusen & Steves \$2,650.00 for services rendered to date by the LDC. All favorable. Motion carried.

Regarding to approve the contract for a professional for Phase 1 Environmental Assessment/Analysis, Z. Gabriels said the LDC received three quotes; (1) an emailed contract from HRP Associates Inc., Malta (Chris Bablin – 899-3011) showing a fixed rate of \$1,650.00 for work to be completed in a 2-week time frame, (2) NE Environmental Technologies Corp., Ballston Spa (Jeff Wink – 884-8545) showing a rate not to exceed \$1,575.00 plus out of pocket expenses without the consent of the LDC, and (3) Jarrett & Martin, LLC, Glens Falls (Tom Jarrett – 792-2907) showing that Full Phase 1 takes a minimum of 3 weeks to complete for agency compliance with the Freedom of Information Act (FOIA) and the cost would range from \$1,500.00 to \$2,000.00 plus out of pocket expenses. Z. Gabriels recommended the LDC make a decision on a group to conduct the Phase 1 Environmental Assessment/Analysis. B. Bryan and J. Saris both said they know Tom Jarrett, he is very ethical and they said they are comfortable with Jarrett & Martin, LLC conducting the Phase 1 Environmental Assessment/Analysis.

## **RESOLUTION #3**

J. Saris moved, seconded by B. Bryan for the LDC to accept the quote from Jarrett & Martin, LLC to conduct the Phase 1 Environmental Assessment/Analysis. All favorable. Motion carried.

Regarding approval of the payment of a bill for professional services for Curtis, Murphy & Jeffreys, forwarded to the LDC from Mr. Lamb in the amount of \$2,425.00.

#### **RESOLUTION #4**

B. Bryan moved, seconded by J. Saris for the LDC to pay Curtis, Murphy & Jeffreys \$2,425.00 for services rendered. All favorable. Motion carried.

Regarding Glens Falls National Bank, Z. Gabriels said David Kaiser indicated that Glens Falls National Bank would be satisfied with an appraisal done by the same firm as Mr. Lamb had hired, Upstate Appraisal (Neil), with some updating. He said the LDC needs to decide whether to obtain a copy of the appraisal from Mr. Lamb directly or have Mr. Lamb authorize the release of information to Glens Falls National Bank at an estimated fee of \$35.00. B. Bryan asked if Mr. Lamb's original appraisal was for the land only and J. Saris said the appraisal is for the business. Z. Gabriels said Glens Falls National Bank is looking for a business plan. LDC Directors unanimously agreed to go forward with the appraisal process.

Regarding the request Bolton Occupancy Tax funding for the LDC, Z. Gabriels said the LDC approved the resolution prepared by Town Counsel for the funding and he said (1) no progress has been made with the New York State Legislature, (2) the Town Attorney approves, (3) Senator Little and her attorney approve, and (4) the County Attorney has some concerns.

R. Bartlett requested the LDC Meetings begin at 4:30 pm in the future. LDC Directors unanimously agreed to have all future LDC Meeting commence at 4:30 pm. Z. Gabriels said he would contact Mr. Montesi's office regarding changing the May 4, 2005 LDC Meeting time from 5:00 pm to 4:30 pm.

**APPROVE PAYMENT OF LDC BILLS:**

Bills to be paid were addressed in the New Business Section of the meeting shown above.

Meeting adjourned at 6:48 pm.

Respectfully submitted by

Jennifer Torebka

Recording Secretary

04/25/05