

**Bolton LDC Meeting- July 23, 2008**  
**State of New York**  
**Warren County**  
**Town of Bolton**

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

Absent: Art Baker and Jason Saris

Phil Farbaniec called the meeting to order at 5:05 p.m.

Public in Attendance: No Public in Attendance

Announcements: There was no meeting in June due to an insufficient quorum.

Treasurer's Report: (as of July 23, 2008)

BLDC- balance \$81,514.02 which includes July 2008 bed tax money received. This account is a non-interest bearing account which will be used towards repairs or a potential long-term capital gains tax.

NMI- the operating account held at TD Banknorth current balance- \$88,770.00

Farbaniec and Gabriels to sign tax documents Wednesday, July 30 at CMJ office-short review with Paul Curtis- all are invited.

At Glens Falls National Bank and Trust Company there is \$55,523 in the mortgage account. Potentially moving some capital to the mortgage account or into more CD's. Also at GFNB are short term CD's totaling \$223,609.00 and the Board is considering some long term CD options.

Phil Farbaniec stated that in comparison from last year they are slightly ahead by approximately \$9,000. However, he feels that this is probably due to the increase in gas prices. He stated that he anticipates that revenue will greatly increase as it did last year in August.

Zandy Gabriels stated that CMJ (accountants) have the 2007 tax returns ready to sign and he scheduled an appointment for Wednesday, July 30<sup>th</sup>. He stated that Paul Curtis wants to do a short review and discuss the future and invited all members to attend. Phil Farbaniec and Joel Jacko asked if he could possibly re-schedule it for another day. Z. Gabriels stated that he would request another meeting date and encouraged that at least 4 members be present to discuss the future.

Old Business:

*Old Garage and/or steel 3 sided building's demolition-only one sealed bid received-action- return bid for re-bid, accept, other? Perhaps removed only Mitzi's garage.*

Supervisor Kathy Simmes stated that she met with Leslie Eggleton from NYSDEC Office of Natural Resources, Region 5 Division of Lands & Forests- Bureau of Real Property about Norowal and the State's responsibilities as per the Conservation Easement. She stated that the meeting covered many items and Mr. Eggleton provided a follow-up letter as per their discussion. In Mr. Eggleton's letter dated July 22, 2008 he indicates that the State "...also discussed the possibility of removing the building that is located in the middle of the parking area, then paving and striping the parking area so it would be easier to get around and easier to reserve the spaces for day users". The Board discussed this option as a way of saving some out of pocket expense.

Supervisor Simmes stated with the Smart Growth Grant for the hamlet sustainability plan she has met with Jeff Anthony of the LA Group and he has provided many ideas for the Town and School ball fields. She has found his input incredibly helpful and stated that Jeff Anthony could develop a master plan for Norowal for \$5,000. Joel Jacko stated that he liked the idea of consulting with a professional for a master plan and suggested that they pay for it through the BLDC account. Zandy Gabriels agreed. Phil Farbaniec stated that he would like to meet with Jeff Anthony to find out exactly what could be done. Joel Jacko agreed.

Phil Farbaniec asked what the State would want in return. Supervisor Simmes stated that they have outlined their rights and responsibilities in the letter as well: 1) The State claims that they should be writing the marina operating plan; 2) prohibited uses; 3) 25% parking spaces to be reserved for day users such as fisherman; and 4) reasonable launching fee. Supervisor Simmes stated that she was concerned with the letter because it states "...the Grantor (BLDC) shall not engage in any use not related to operating a public non-commercial marina." She stated that she does not understand how this is possible. She stated that the letter also indicates that "...there is no provision in the (conservation) easement that allows for charging parking fees. Section 5.5 says the public has use of the marina in exchange for appropriate launch fee." Zandy Gabriels stated that according to the Conservation Easement recorded in the WC Clerk's office it states that they must charge reasonable launching fees and they have the right to charge public parking. He stated that the easement also states that commercial uses are allowed by the easement. Supervisor Simmes stated that Mr. Eggleton had another easement as well which he was drawing his facts from. Joel Jacko stated that he was concerned because the State could cause a big issue over parking. Zandy Gabriels agreed and asked how they are supposed to make their mortgage payments without parking fees. Supervisor Simmes stated that she expressed the same concern to Mr. Eggleton.

Joel Jacko stated that he is also concerned that the State wants to write the MOP. He feels that this should be something that the BLDC does. He continued that if the State insists on writing the MOP that the BLDC needs to be heavily involved. Supervisor Simmes stated that the State has the right to write the MOP according to the State to Town Conservation Easement.

Zandy Gabriels stated that he was concerned because Mr. Eggleton's letter does not mention anything about capital contributions and is worried that they will not help or provide re-imbusement for current and future projects.

Phil Farbaniec stated that obviously they were not ready to make a decision on the garage and steel building. Joel Jacko stated that they should bring in Jeff Anthony and the LA Group for consultation. Scott Andersen agreed and stated that it would be money well spent but suggested talking to CMJ (accountants) about where the money should come from. He stated if Phil Farbaniec, Joel Jacko and Zandy Gabriels were comfortable with Jeff Anthony's proposal he would support the authorization of \$5,000 for the master plan.

RESOLUTION:

Scott Andersen moved, seconded by Zandy Gabriels to authorize \$5,000 for a master plan to be developed by the LA Group for Norowal Marina. All in Favor. Motion Carried.

*Written memorandum for NYSDEC dock re-assignment-emailed 7/22/08.*

Phil Farbaniec stated that this has already taken effect and the memorandum just needs to be signed to finalize the action.

RESOLUTION:

Zandy Gabriels moved and seconded by Scott Andersen to authorize Phil Farbaniec to sign the State of New York Department of Environmental Conservation Conservation Easement Memorandum of Agreement to a First Amendment. All in Favor. Motion Carried.

*Discuss Danny Kincaid's senior citizen's discount for launching proposal.*

Phil Farbaniec stated that he felt that they should demonstrate some concern and possibly look at providing a discount after Labor Day. Scott Andersen stated that he feels that they should not provide a discount to seniors because the majority of individuals boating are seniors and they would be losing a considerable amount of money since their only source of revenue is generated by launching and parking. Zandy Gabriels agreed and stated that he feels that if there is going to be a discount it should be for those 75 years and older. The Board decided to leave this open for further discussion.

*Verizon Easement Request-*

Phil Farbaniec stated that there is an existing line on Route 9N which crosses to the buildings on the east side. Verizon wants to run a line at the same height to a new pole on Sagamore Road. He stated that there really would be no impact because if boats can clear the existing line they should have no problem with the new line.

Scott Andersen stated that he thought there was some concern with sailboat clearance. Zandy Gabriels recommended that they take a look at it on site. Phil Farbaniec stated that he and Linda Bennett have already looked at the line and clearance height and feel that it should not be a problem.

New Business:

*Vandalizing at Norowal-* Phil Farbaniec stated that there was some vandalizing at Norowal and it is still under investigation.

*Inside storage fees-*

Joel Jacko stated that he wants Scott Andersen and Jason Saris to be involved in these discussions. Zandy Gabriels asked when they should start to advertise. Scott Andersen recommended that they have something out by August 15<sup>th</sup> because people start to look early. Phil Farbaniec stated that last year they charged \$2 per sq. ft. Scott Andersen stated that he charges \$4.95 but it includes cleaning, shrink wrapping, etc. Phil Farbaniec stated that he was surprised to learn that the managers did not include the trailers in their measurements last year. He feels that they should keep the price per square foot the same but should include both the wheels and trailer. The Board agreed.

Phil Farbaniec stated that last year they charged \$2,400 for use of the steel building and wondered if they should look at leasing the whole building commercial. Scott Andersen stated that he knows that Jason Saris would say if they considered leasing the whole building they would need to make the option available to everyone. He stated that although it is an avenue that they could explore he feels that they would make more money if they were to lease the spots individually. Phil Farbaniec stated that the managers are concerned that they will not be able to maneuver the boats around themselves. Scott Andersen stated that they have use of vehicles and trucks that could assist them with that. Phil Farbaniec asked if they have a market for individual storage. Scott Andersen replied yes and suggested that they start with advertising at the Marina. Phil Farbaniec asked how they would charge for commercial use. Scott Andersen replied that personally when he stores boats off-site he is charged \$175/boat for space that is out in the open and not sheltered. He stated that since they have covered space this could be considered the minimum especially since they do not provide any additional service such as cleaning, wrapping, etc. Scott Andersen suggested that they meet again before August 15<sup>th</sup> to discuss this issue further and make some decisions. The Board agreed.

*Improvements to Shower facilities-*

Joel Jacko stated that the major project is on hold but they have made minor improvements to the bathrooms. He stated that his biggest concern is that there are not enough bathrooms and they need to address that when renovating the bathroom and shower facilities.

Executive Session: Zandy Gabriels moved, seconded by Scott Andersen to enter into executive session at 6:19 p.m.

Executive Session closed and the meeting was adjourned at 6:45 p.m.

Next meeting: Wednesday, July 30, 2008 at 5:00 PM at Town Hall.

Minutes respectfully transcribed by  
Kristen MacEwan

Recording Secretary