

**Bolton LDC Meeting- March 11, 2009**  
**State of New York**  
**Warren County**  
**Town of Bolton**

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

**Absent:** Art Baker

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

**Public in Attendance:** Deann Rehm

**Correspondence:**

- *LGA letter requesting free winter boat storage- BLDC to develop policy.*

Phil Farbaniec stated that he had a conversation with Mike Muller about this issue. Counsel Muller indicated that there would be no reason why they couldn't accommodate this request or other entities that fit this same profile. Phil Farbaniec requested that Zandy Gabriels send a letter to the LGA informing them that this request could be granted.

**New Business:**

- *Tim Larson- LA Group- to discuss study of Norowal Marina*

Tim Larson provided 3 proposed plans that he developed from studying the Marina and how it could be best utilized.

**Plan A-** Tim Larson explained that this plan worked with the current buildings and layouts that the Marina has and provided the following:

- 1) Keep the residence and self-launch building and area, but provide a more formalized parking plan. The parking lot would have stormwater incorporated into the parking islands. There would be striping of the end spaces prohibiting parking in certain areas to provide for adequate room to maneuver and enhance traffic flow. There would be 10 car top parking spaces on the western side of the lot, 24 car top spaces around the structures and 34 spaces for cars with trailers to the north of that. He formalized the lot to maximize spaces but also worked to meet all setbacks.
- 2) The upper parking lot was also formalized allowing for 28 spaces for cars with trailers. This lot would also have a re-aligned driveway into the Sagamore entrance driveway to improve circulation and safety.

Tim Larson stated that the overall plan would allow for 68 vehicle/trailer parking and 47 spaces for car top parking.

- 3) Maintain the current Sagamore Road entrance, but also incorporated adding another driveway on the western border for better vehicle circulation.

- 4) Create an intersection where the Sagamore Road entrance and Route 9N entrance merge to improve circulation and safety.
- 5) Keeping the majority of the current buildings. The existing office and DEC office would maintain their current location on the left side of the approach lanes. Consolidate the use of the building on the right and reduce the overall footprint of the L-shaped building. They would remove the section of the building that has the current bathroom/shower facilities and relocate them in the remaining part of the existing building.
- 6) Add a boat wash station adjacent to the launch. This would be located on the right side of the approach attached to the L-shaped building for optimum boat usage. .
- 7) Provide more green space/picnic area by the waterfront.
- 8) Provide for some shelter or cover by the waterfront.
- 9) Provide a stormwater management plan for the overall project.
- 10) Removal of the maintenance building to provide for more turn-around area at the launch.

Scott Andersen asked if the boat wash station would drain into ground water or into the Town septic. Tim Larson replied that ideally he would like to see some kind of treatment system. He stated that the LGPC has the information about boat wash facilities that he would need to follow.

Zandy Gabriels asked if the parking spaces on the plan are as it exists or what is being proposed. Tim Larson replied that they were proposed spaces. He asked the Board how many spaces park in this area now. Jason Saris replied that the number varies and depends on the size of the boats and trailers. He stated that currently they break up the boats and trailers so this is a completely different concept than they are used to. He stated that they would need to consider whether or not that gives them more space in doing it that way.

Phil Farbaniec stated that the 47 vehicle spaces would just about take care of the dock renters but would not allow for anything over. He feels that this plan does not provide for the same amount of spaces that they have now. Tim Larson stated that their plan was to formalize the parking. Anytime parking is formalized and designed to meet standards/setbacks then they are going to lose parking spaces. Zandy Gabriels stated that overall he feels that currently they have approximately 200 spaces. Scott Andersen agreed. He stated that on the weekends the cars are put anywhere and parked in all different directions. Jason Saris agreed and stated that on weekends they can sometimes sell out of parking spaces.

With regard to the upper lot Jason Saris stated that he didn't feel the need for trees on the parking islands because there is no need to buffer it from anyone. He stated that this lot is not seen and he would rather have more room for parking spaces. Tim Larson stated that he put these islands in for turning radius needed by the boats and trailers.

**Plan B-** Tim Larson explained that this plan took a fresh look at the site if it were to to have all of the buildings removed.

- 1) Eliminate the use of the Norowal entrance from Route 9N.
- 2) Removal of the residence and self-launch to maximize the parking capability in this lot. This would provide for more car top parking along the perimeter of the site along Sagamore Road and the western border for a total of 45 spaces. Removal of the buildings would increase the car/trailer parking to 88 spaces.
- 3) Created a larger building to house all offices and services provided at Norowal. This area not only would consolidate uses but would provide for a nicer environment and would utilize the best view of the lake for an improved user experience.
- 4) Installation of a sidewalk leading in from Sagamore Road which would provide a safe access for pedestrians so they would rarely have to cross traffic.
- 5) Boat wash station would be on the left side of the approach lane where the current office is located.
- 6) Providing for additional green space/picnic area along the waterfront.
- 7) Removal of the maintenance building for better maneuvering.
- 8) Provide for improved stormwater management for the overall project.

Kathy Simmes stated that she thought that there should be more parking available with the removal of all of the buildings. Tim Larson stated that they tried to best maximize the area for parking but needed to meet the setbacks. This plan does allow for more car/trailer parking than the first plan.

Scott Andersen stated that he is concerned that the boat wash in the middle of the launch area where the current office is located. He stated that boats would not have enough room to swing around out of the boat wash. He feels having it off to the right would be a better location. He stated that the Managers also like sitting in the center of the launch area because it gives them the best view of traffic, docks and gas area.

Zandy Gabriels stated that he was concerned that they were losing their temporary unloading area for the picnic/green space. Phil Farbaniec agreed that this area is utilized a lot and is too valuable to lose completely. Jason Saris stated that he agreed with adding a picnic area as proposed but he feels that it is important to provide some space for dock space users to have room for unloading.

Joel Jacko suggested that they provide more picnic/shelter area behind the maintenance building instead of taking up all of this space. Scott Andersen agreed that there would be plenty of room in this area to accommodate some additional picnic space. He stated that whatever is stored in the maintenance building could be moved to another location and the building itself could provide for a space for shelter for the dock hands or customers. Zandy Gabriels stated that he thought this area had problems with flooding. Joel Jacko replied that they have addressed this issue and it clears out much better now. Scott Andersen stated that everything on this plan involves additional cost and he thought that this change could be done for very minimal. Tim Larson stated that he did not want to take up too much room on that side because that is where the boats are tied down. Jason Saris replied that he thinks there is plenty of space. The whole

idea of tie downs is to not have them do it on the launch ramp and they do not even have to do it there because they can pull into the parking lot area. Scott Andersen agreed and stated that this is not usually a problem because the movement is critical and the tie down only takes a short period of time. Most people pull off the ramp and use the roads in and out of the marina to tie down.

Tim Larson asked what their thoughts were about the location of the boat wash station. Scott Andersen replied that he feels that they need to be to the right of the approach so that they have the turning radius and to allow for the Managers to be in the middle of the approach. Jason Saris asked if the boat wash would be better served in the middle of the building on the right and having the bathrooms where they are more easily accessible to everybody. Tim Larson stated that moving the bathrooms closer could be a possibility because he wants to have the boat wash station over to the side so that individuals could pull right through and make the turn. Scott Andersen stated that moving it further out of the way would be more ideal considering the use that it would get. Phil Farbaniec stated that he is concerned with the placement of the boat wash in this area because it is essentially attached to the current building which would extend into the 2 traveling lanes. He is not sure if that would leave enough room for the flow of traffic. Scott Andersen agreed that he cannot see the traveling lanes getting any narrower. He stated that they need those 2 lanes because that is what their primary business is about. Tim Larson stated that he has proposed to keep two standard 12' traveling lanes in between the buildings but is not sure if that is practical for their use. Jason Saris agreed but what he has done away with is an area where someone can park to run into the office and still leave the 2 traveling lanes open. Scott Andersen stated that right now the traveling lanes about 48'. When there is line, the people in those boats and cars are unloading on both sides of the vehicles and he feels that 24' feet is not going to be enough which will slow down their primary function. He stated that the width of the lanes is vital to proper safety and function. The Board agreed.

Tim Larson stated that he understands that the boat wash location needs to be further addressed. He stated that the proposed boat wash station is 15' x 60'. Zandy Gabriels asked if a 15' wide boat wash would be wide enough to provide adequate space for most boats. Most boats are 8' wide, someone pulling down the center would only have about 3.5' on each side. Tim Larson stated that he just looked at a minimum sized boat wash, but if they were to look at a different location altogether they could look into a larger boat wash station. Scott Andersen stated that a real boat wash station lifts the boats right off the trailer with proper drains underneath. He stated that this would change his whole plan for the boat wash station if they were to go this route. He stated that there always seems to be money for the environment and he feels that they could look into some grant money, if and when they decide to add this as a service.

**Plan C-** Tim Larson explained that this plan would include subdividing the parcel at Sagamore Road so that it could be used otherwise and it would give them the ability to make some money from the real estate. This would provide for a .7 acre parcel off of Sagamore Road. This plan would cut back on their car top parking to 18 spaces and bring their trailer/vehicle parking to 68

spaces. Jason Saris stated that it is too big of a loss in parking. Tim Larson stated that he looked at it as an opportunity to make some money from the real estate end.

Jason Saris stated that in looking at Plan B, the parking is more comparable to what they currently have. Right now they separate cars and trailers so the approximate 200 spaces would be pretty comparable to the 88 vehicle/trailer spaces proposed. Deann Rehm asked if all of the dock renters have specific parking spots. Jason Saris stated that there are some spots closer to the docks that are only for the renters but once those spots are full they are only guaranteed a spot but it is not specific.

Zandy Gabriel stated that even if they were to subdivide the property and get a million plus for the property, they would need to weigh that against limiting their parking they provide because they are one of the only spots that provide public access to the lake. Joel Jacko agreed. He stated that any proposal needs to maximize their parking areas.

Tim Larson asked if the Board was interested in seeing more of a plan that demolishes the existing residence and self-launch buildings to use for parking. Jason Saris stated that they have not decided what they want to do with these buildings yet. For example if they decide to expand the self-launching they could look into providing a different layout with a simple structure to accommodate more covered storage along the perimeters.

Zandy Gabriels asked for further clarification of the sidewalks that would be added. Tim Larson explained that they will put a sidewalk coming in from Sagamore Road. Zandy Gabriels stated that he feels that a cross walk should be located at the current entrance across Sagamore Road. Tim Larson agreed.

Zandy Gabriels stated that he is concerned with adding an entrance on the western side of the property for financial and security purposes. He stated that it would be hard to monitor whether or not it is being utilized by Norowal customers only, which would greatly affect their business. Tim Larson understood his concern and stated that he only added the driveway to better enhance traffic circulation. He only envisioned it to mostly be used as an exit. Deann Rehm stated that they could put an exit only sign up. Jason Saris stated that he agreed with Zandy Gabriels. He stated that currently when you enter either entrance you know that you are entering a place of business and before you can even access the parking lot you have driven in far enough to realize that you are in a business area. If they allow people direct access into a parking spot it would cause some trouble.

Tim Larson stated that in summary he would look to propose a plan that would incorporate the following 1) provide temporary parking for unloading, 2) have part of the picnic area in the current location of the maintenance building, 3) locate the office in its current location, and 4) find an appropriate location for the boat wash station. Zandy Gabriels asked if he could provide a plan with the proper scale of the current buildings. Tim Larson replied yes because he already has one, but forgot to bring it along. He stated that if there were any additional thoughts or

concerns that they should contact him.

### **Treasurer's Report:**

#### **BLDC- Phil and Zandy met with CMJ**

- *Pay bills-LA Group, CMJ and TD Insurance-*

Zandy Gabriels stated that there is a bill from the LA Group in the amount of \$1,577.57 and asked what account they should be paying out of. Phil Farbaniec replied that it should be paid through the Norowal account.

CMJ bill- \$3,500.00 which will be paid out of Norowal.

Phil Farbaniec stated that he has an invoice from TD Insurance (Public Officers Liability Insurance) in the amount of \$1,833.00 which is made out to the BLDC but thinks it should be made out to Norowal and it should be paid from Norowal. Zandy Gabriels stated that there are 2 policies, one for the Board of Directors of Norowal and one for the Board of Directors of the BLDC, but they would pay it out of Norowal.

Joel Jacko stated that once they see the adjustments on the plan from the LA Group and have a direction they really need to set aside finances to maintain themselves first. Then they need to make a commitment to themselves and to Norowal as to its direction and proceed with this commitment so they can start to see these things come to fruition. Zandy Gabriels agreed and stated that they met with the accountants who suggested having the property appraised in 2010. He agrees that they need to save money but until they see what their tax consequences will be he wouldn't want to put too much money aside. Joel Jacko stated that they are going to have a realistic expenditure of approximately \$50,000 in taxes. He stated to draw down any of their funds would be devastating. He feels that they really need to keep up with the tax expenditure by making sure that Norowal has additional income. He stated that they have a year and a half to plan for this expenditure to offset some of these taxes.

Phil Farbaniec stated that up until now they have been avoiding having to pay Federal taxes. They have paid some low figures to New York State, but have not had to pay anything to the Federal government and they will be sheltered in 2009 because of the inventory. They will not shelter in 2010 but there may be a little bit left over. He stated that the accountants gave an approximate of low 20,000's in Federal taxes for 2010. The profit margin is in the low \$70,000's, which is what would kick off the taxes. He stated that they are not in dire straits but understands Joel Jacko's point that they need to plan for this additional expense. Joel Jacko stated if they run into any major repairs in the next 3 years plus the additional taxes it could zero them out.

Phil Farbaniec further reviewed the information from CMJ with regard to their finances. Overall he stated that they are currently in a very good position. He stated that they did not pay any Federal taxes this year only a few corporate taxes.

Joel Jacko stated that they will need 2 letters, on Norowal stationary, to Glens Falls National and Saratoga authorizing both Phil and himself to sign on and manage these accounts. He stated that they started at Saratoga because they were able to get a better interest rate on their CD's.

**RESOLUTION:**

Scott Andersen moved, seconded by Jason Saris to authorize Phil Farbaniec and Joel Jacko to handle all banking for Norowal Marina and BLDC accounts. **All in Favor. Motion Carried.**

- *NYS has not paid their fair share of the taxes.*

Deann Rehm stated that the State is claiming that they did not receive appraisals for the property. She stated that they have not paid their share for the last 3 years, but this has been brought to their attention and they plan to make up for it. Phil Farbaniec stated that they have already paid these taxes and asked if the State would be paying more for those years. Deann Rehm replied no but they will reimburse Norowal their share for the past 3 years. She stated that once this is better established, at taxing time both Norowal and the State will each get a bill for their share of the taxes.

Scott Andersen stated that DEC should be reminded that they owe \$50,000 for the ramp that they installed last year.

- *Dock Doctors proposal-* Phil Farbaniec stated that this is available for review.
- *Rates-*

Phil Farbaniec stated that this is the third season that they have not increased their rates, mostly in part to economy. Jason Saris suggested that they should consider at least a small increase next year. He feels that if they do not do it in small increases and then have a large increase and it becomes a shock to the customer. Joel Jacko agreed and stated that they are going to need some additional income anyway.

Joel Jacko stated that gas prices have maintained. However he is expecting an increase over the summer and will be looking to fill it again before then. Scott Andersen stated that they should fill it now, not because of the volume but because it will have less moisture absorbing sitting there. Joel Jacko stated that he would call Linda to remind her to get gas.

- *PARIS data entry program training- State requirement? Status? Action required?*

Phil Farbaniec stated that he has some information from December which includes some websites, but has nothing about a schedule. He stated that it was his understanding that they may have already missed the training this year. Zandy Gabriels stated that this is part of the NYS Public Authorities Accountability Act which will require them to publicly post their financials.

- *Wireless service to dock renters/launchers?*

Phil Farbaniec stated that Andy Pratt made a suggestion that Norowal might want to offer wireless service at the docks. Kathy Simmes stated that Tony Hall requested something similarly

to be done at Town Hall. She stated that she talked to Chris LaFountain who indicated that in doing so it would require them to separate all of the Town computers onto one router and put in another wireless router so users could only access that and nothing else in the building. She stated that the cost was too expensive because of the security need.

Jason Saris stated that in his experience, his renters could care less about having this type of access because it is farthest thing from what they are up here to do. Scott Andersen stated that he is not against anything reasonable that they can do to provide additional services. However, he would be cautious in this area because of the electrical issues that they already have on the docks right now. Until the power issue can be resolved, he would just assume not to add anymore to the docks electrical system. Phil Farbaniec suggested that they sit on it until next year when they can address the electrical issue and they will be increasing their rates. Scott Andersen stated that to do the power the correct way will not be cheap. He continued that they also have to deal with the liability of providing the power, because once it is there they are saying that it is all safe and they shouldn't take an additional risk without correcting what is there. Phil Farbaniec stated that their utility cost last year was \$9,000, which includes propane to heat the water.

**Old Business:**

- *NYS DOT letter regarding sidewalks and purchase of property along 9N entrance.*

Scott Andersen stated that he is concerned with the rounding corners which could narrow the entrance. He had Herb Koster review the plan that was provided by the State and Herb stated that they need definitive measurements of how much the State is going to take. Scott Andersen stated that if the State intends to take 3-5' it will be too much.

With regard to the State acquiring the land on the north side of the entrance, Scott Andersen stated that he wanted to have Counsel Muller draft an easement for the State to sign which will allow them to keep their sign. Jason Saris and Zandy Gabriels agreed. He stated that the sign would move slightly but would not have any power or lights run to it. He stated that Herb Koster strongly suggested that they not make a move until the State provides measurements. They also need to get Counsel Muller involved.

Kathy Simmes stated that she asked for a representative to come up and review the plan. Scott Andersen stated that he will call the State to get measurements. Jason Saris agreed and stated that if the State wants this, they will need to give them something here. He also feels that it would be best to let Counsel Muller come up with the best solution that will allow them to keep the sign. All Board members agreed.

Scott Andersen stated that they also have to have more details about the plan and whether or not they will have any input. He stated that it looks as if there is a beveled area on the curbs, which could create some liability. He stated that currently cars with boats/trailers take whatever room is given and this proposal seems to be narrowing the entrance.

Zandy Gabriels stated that he feels that Counsel Muller will need to review it before they sign

anything. Scott Andersen stated that he would send all paperwork/plans to Counsel Muller for his advice. He will also ask Rob Davies from NYS Real Property for measurements.

Zandy Gabriels asked when the State intends on starting construction. Kathy Simmes stated that the State is waiting to find out what funds they will be receiving from the Stimulus package. If and when that comes through it will be a 2 year process because they will be too far behind this year to get it completed.

- *Great Upstate Boat Show*

Zandy Gabriels stated that he has been working with Joan Baldwin to prepare for the show which will run March 27-29<sup>th</sup>.

- *Bed Tax money*-Phil Farbaniec stated that unfortunately the bed tax money has already been allocated and Norowal will not be receiving any bed tax money this year.
- *Written Memo for NYSDEC Dock re-assignment.*

Phil Farbaniec stated that he thought that this had already been taken care of. Zandy Gabriels stated that the State was okay with the change but nothing was ever put into writing.

- Dave Decker, LGWC- Boat Wash indicated willingness to collect some data-washed boats- status of data?

Phil Farbaniec stated that he has not heard from Dave Decker this year but feels that they could accommodate him again if he does ask. The Board agreed.

- *Bubbler & Ice Eater System- Maintenance- Repair of spares Phil, Zandy and Scott agree that Scott should get all spares repaired. To be sent out at the end of January.*

Scott Andersen stated that they have been sent out for repair.

- *Snow plowing- contract completed? Copy returned to FR Smith & Sons?*

Scott Andersen stated that he sent a contract but it has not been returned. Joel Jacko stated that they should have something in writing and that he will talk to Linda Bennett.

- *Dock Contract/Agreement-*

Scott Andersen stated that there is a little difference in some of the wording. He stated the updated version includes the clause about providing proof of liability insurance. Phil Farbaniec stated that Linda Bennett is set to send out the contracts for this year. She suggested that instead of sending the new contract that they send a letter about the proof of insurance for individuals and for those contractors who provide repairs on site. Scott Andersen stated that Counsel Muller insisted that they have something signed from the customers which indicates that they are aware of the change. Zandy Gabriels suggested sending the new agreement with a letter explaining the reason for the change.

Scott Andersen stated that he requested information from Mr. Rounds regarding what type of

insurance they should be getting from the vendors. He stated that Mr. Rounds indicated that he would send them some standard requirements and forms.

Scott Andersen stated that he was also warned that they should be getting insurance from those that are routinely launching for hire. These people are known licensed haulers and they should provide insurance just like any of their vendors. Joel Jacko asked how they would know who these people are. Scott Andersen replied that the Managers would know and should be asking for insurance.

Scott Andersen stated that any marina would be asking any of these individuals for insurance. Jason Saris stated that this is not a burden to supply. He stated that Counsel Muller has recommended this and he assumes that it is in order. He wouldn't want Counsel Muller to go to Court with an issue and not be able to defend it.

Joel Jacko asked if they should send separate letters to the dock renters and vendors. Scott Andersen replied yes. Phil Farbaniec stated that they should send the letters to the dock renters with the new agreement now. The Board agreed. Scott Andersen stated that they should send a letter to the vendors after they receive the information from Mr. Rounds. Zandy Gabriels asked what they should do about those individuals that only occasionally use the ramp to launch for someone else. Scott Andersen replied that he would ask Mr. Rounds.

Phil Farbaniec suggested sitting down with the Managers in April to go over details before the season.

Zandy Gabriels asked if all of the dock renters were still on board. Scott Andersen replied all but one. Jason Saris stated that he doesn't feel that this will ever be an issue.

**Executive Session:**

**RESOLUTION:**

Scott Andersen moved, seconded by Jason Saris to enter into Executive Session to discuss salaries and contracts at 7:15pm. All in Favor. Motion Carried.

**Adjourn**

Returned to Regular Session and adjourned at 8:15pm

**Next meeting:** Wednesday, March 25, 2009 at 5:00 PM at Town Hall.

Minutes respectfully transcribed by  
Kristen MacEwan  
Recording Secretary