

Bolton LDC Meeting- November 19, 2008
State of New York
Warren County
Town of Bolton

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

Absent: None

Phil Farbaniec called the meeting to order at 5:10 p.m.

Public in Attendance: No Public in Attendance.

Phil Farbaniec stated that he had one addition to the minutes from the October 22, 2008 meeting. With regard to the NYS Police investigation he stated that the investigator that he was in contact with was Steve Meacham.

Correspondence:

1. Response letter to the NYS Authority Budget Office
2. Letter to Supervisor Simmes requesting funds for the BLDC from the 2009 Bed Tax funds.
- 3.

Treasurer's Report:

Phil Farbaniec stated that from a point of view of total business they have come very close to what they did last year in terms of gross dollars. He stated that they can probably attribute that to the increased cost in gas and if they were to factor that in, they may actually be less than last year.

Phil Farbaniec stated that they have been working on moving money around and that should happen before the next meeting.

Joel Jacko stated that at TD Banknorth they have \$63,804.00. At Glens Falls National they have \$85,704.00 in the mortgage account and the CD's total \$224,572.42. The CD's will be increasing because they will be adding \$50,000 from the BLDC account. Zandy Gabriels stated that currently the BLDC account has \$81,466.00. Joel Jacko stated that between all of the accounts he feels that they have a great dollar amount given the economy. It will eventually serve as a back up for other corporations and they have covered their bases extremely well for the future whether it is for the tax liability and/or monies need for emergency funding of Norowal. Zandy Gabriels stated that it is hard to figure on when they will need to pay the tax liability but they are off to a good start. Joel Jacko stated that they should feel good about how stable they are financially. Zandy Gabriels asked when a good time would be to start pre-payment of the mortgage. Joel Jacko replied that he thought it was a good idea and that if they can build up next

year and keep them at about \$400,000 he thinks they should start paying an extra mortgage payment a year. Scott Andersen suggested that they talk to the TB and inquire about the Town buying their loan from Glens Falls National and pay the Town money at the same rate. He stated this way the interest would be benefitting the Town. Supervisor Simmes suggested that the Town buy out the Conservation Easement. Scott Andersen stated that the State would be hard pressed to sell that to them. Phil Farbaniec stated that they could consider this when the Town starts to seriously consider what they are going to do with the \$4 million from the Sagamore.

Old Business:

Winter Storage Contract-

Phil Farbaniec stated that nothing has changed since last month's meeting. The building will remain empty at this point. Joan Baldwin stated that Ike Wolgin approached her about the use of the space and she told him to speak to the Board. Phil Farbaniec stated that he has not contacted them as of yet and suggested that he approach the Board if he is interested.

Verizon Easement request- from 9N-Ok

Phil Farbaniec stated that this has not happened as of yet, but it is still in the works. They have looked at where the easement is coming in and have determined that it will not interfere with operation of the marina.

Written memorandum for NYSDEC Dock re-assignment-emailed. To BLDC 7/22/08

Zandy Gabriels stated that Counsel drafted a memo and it was sent to the State but it has not been signed off on yet. Phil Farbaniec asked if Zandy Gabriels could take care of that upon his return from vacation.

Options for Lamb's Cottage

Scott Andersen suggested asking the Town to remove it so that they could have the space. Expanding on that concept, Jason Saris stated that one option would be to try and get rid of it and make it available to whoever wants it. If that fails, then he would suggest going out to bid for demolition. Art Baker stated that Ike Wolgin was still interested in the building but was under the impression that the BLDC was not acting on anything until the LA Group finished its study of Norowal. Zandy Gabriels added that they sent a acceptance letter back to the LA Group approving the proposal with the exception that the results of the study would be shared with the BLDC first and the BLDC Board would decide if and when to release said results. Phil Farbaniec stated that everyone agreed with that and it would be their intent to get into this plan with the LA Group over the winter. Jason Saris asked if the LA Group has a copy of their Conservation Easement so they can understand their limitations. Zandy Gabriels replied not that he was aware of. Phil Farbaniec asked Supervisor Simmes if she could provide a copy of their Conservation Easement to the LA Group. Supervisor Simmes agreed. Phil Farbaniec stated that he would also like Managers Joan Baldwin and Linda Bennett in those meetings with the LA Group for their input and suggestion.

NYS Public Authorities Accountability Act

Phil Farbaniec stated that they will need to get a schedule of the upcoming dates and plan to attend. Zandy Gabriels stated that he has attended previously and unfortunately a lot of what is discussed does not pertain to them but it is mandatory that they attend.

New Business:

Bubbler & Ice Eater System- Bubbler operational but not turned on by COB 10/31/08-

Phil Farbaniec stated that all they have to do is turn them on. Jason Saris asked since they have a combination of bubblers and ice eater systems will there be a potential for lake access over their easement over the beach. If so, are they going to do anything as far as signage and are they going to change how they plow for parking. Scott Andersen suggested consulting with Counsel Muller regarding signs especially when it comes to liability. He stated he remembers when dealing with lake access over Town beaches Counsel once had suggested that the signs should basically say something like "ice is never safe and please proceed at your own risk". He stated that he also remembers Counsel saying that sometimes it is better if there is nothing posted because it means they do not bless it, condone it or authorize it. He stated that he is unsure of the right thing to do and would recommend talking to Counsel. Phil Farbaniec stated that anytime there is an access over ice they are exposing themselves to a lot of liability and he is not comfortable with providing lake access with bubblers so close.

Jason Saris stated that he understands the legal aspect of signs but there will be a need for other signs as well such as the posting of private property. Linda Bennett stated that she is not sure that this access would be wide enough for some individuals to get their snowmobiles and ice shanties down to the beach because of the fence. Scott Andersen stated that there are two options 1) they could dismantle the fence and take the responsibility to put it back up in the spring or 2) go around the fence. Scott Andersen suggested that the appropriate thing to do would be to contact Buzz Lamb and ask which of the two he would prefer. Jason Saris agreed.

Jason Saris stated that they will also need to consider signage to control how the parking is utilized and whether or not there will be availability for trash receptacles. Joan Baldwin stated that the trash service is shut down in the winter and the dumpster is removed. Scott Andersen discussed the plowing of the parking lot and stated that it will need to be planned carefully. He stated that there is a map and deeded line showing the 10-15' easement over the beach. He stated that this road is maintained by Buzz Lamb. Phil Farbaniec asked how much used this road gets in the wintertime. Scott Andersen stated that it has not been used because they did not have the potential for lake access. Phil Farbaniec asked where people access the lake currently. Scott Andersen replied at the Town beaches but they get overcrowded very quickly and this easement has been there as a potential extra spot to provide access. Joel Jacko stated that he doesn't think they have enough time to provide access this year. Phil Farbaniec stated that it sounds like the only thing they have to do is to make the public aware that this opportunity is there. Phil

Farbaniec asked how from the bubbler individuals would have access Scott Andersen replied 8 feet, but from his experience on Lake George it can be anywhere from 6-8 feet from the bubbler. He stated that most people who venture onto the ice are ice savvy and are not intimidated by that at all. Linda Bennett asked if they have trash receptacles in the Town parks. Jason Saris replied that he did not know but if there are no receptacles they would need to have a sign that says that whatever is carried in is carried out. Linda Bennett asked if the Town has receptacles at the beaches would the Town consider putting receptacles at Norowal and picking it up. Jason Saris replied that trash collection has become more complicated because they have recyclable and people don't always sort it out. Phil Farbaniec asked if someone could talk to Counsel Muller about the necessary signage and language. Scott Andersen replied that he would contact Counsel. Jason Saris suggested that they start working on a plan for plowing soon because it will need to be started right away. Scott Andersen asked Joan Baldwin and Linda Bennett about the ground saturation for certain areas of the parking lots. He stated that in previous years the plowing was done only to provide access for fire protection. He continued that it is relatively easy to do but they will need to develop a plan. Joel Jacko suggested that they table the issue until they can get some legal advice and then decide what they want to do. Linda Bennett asked if the plowing will be the marina or Town's responsibility. Scott Andersen replied that it would be something that they would have to discuss. Jason Saris suggested taking the plowing aspect slowly and provide just a limited parking area for the first year so if there are any issues they can deal with them quickly. He stated that if it worked out well they could increase the parking area. Phil Farbaniec agreed.

With regard to trash collection, Linda Bennett stated that they have Norowal's trash picked up on Friday and Mondays but they barely can make it through the weekend. She stated that she has noticed a State truck on Sundays and wondered if they could request the State truck to pick up their trash on Sunday. Phil Farbaniec stated that it seemed to him that the State was happy that Norowal was providing their own trash service but if Norowal did not have a trash service they probably would have. Jason Saris replied that the problem would be that Waste Management would not want someone else to pick up their trash bin and he is not sure if the State would come frequent enough if they were to switch to the State. Scott Andersen asked if they have a bigger trash receptacle available. Joan Baldwin stated that they increased size from last year and does not believe that there is anything bigger. She stated that she thinks they may have to add another receptacle.

Improvements to Shower facilities

Linda Bennett stated that they only way to truly improve the facilities is to start from scratch. Joel Jacko agreed but stated that no action will be taken until the LA Group has finished their evaluation and study. Linda Bennett stated that they have looked at many options such as adding drains but in the current building that cannot be done because they are at water level. They have also looked at using epoxy for the floor and shower stalls but she is unsure of the quality or its longevity. Jason Saris stated that they could tile over what is there which would be easy to clean but they would still be dealing with the issue of where the water will go. Phil Farbaniec asked if they had a septic or sewer. Linda Bennett replied that they are connected to the sewer. Zandy

Gabriels stated that they should encourage the LA Group to include the Managers in this part of the process. Jason Saris asked if they have someone from the BLDC appointed to talk to the LA Group directly. Zandy Gabriels replied no they just entered into a contract with them. Joel Jacko stated that in a previous meeting they had an agreement that Zandy Gabriels, Phil Farbaniec and himself would be part of the committee to talk with them. He stated that he also felt that it would be important for the Managers to be part of the committee as well. Jason Saris stated that he feels that anyone on the BLDC would be willing to participate but he does feel that it would be important to have someone on that committee that was part of the creation of the BLDC and their vision for Norowal Marina for a historical perspective. Joel Jacko asked if having just the three Board members and the Managers was sufficient to start. All Board members agreed.

Consider response to DEC's interest in day use of facility- gathering additional data

Linda Bennett stated that she heard a rumor over the summer that the State was interested in putting in an office and she suggested that they put it in Don Volkmann's office. Phil Farbaniec stated that the State left with the impression that Norowal was going to give them the back section behind the store display area but not including the area to the west. However, nothing has been set in stone as of yet. Jason Saris stated that their thinking in putting it behind the display area is to keep the launch process moving. Because now they may potentially have launching customers wanting to pay for their campsite or picnic site here and this could expedite the process. Linda Bennett was concerned that the safe would need to be moved. Jason Saris stated that they may have to shuffle a few things around. Joel Jacko agreed and stated that he would prefer not to have pedestrian traffic crossing the launch ramp area and approach to get to the other office. Jason Saris stated that this may not even happen this year since the State is struggling financially. He stated that if they are able to have this up and running it will really provide a huge convenience for visitors as well as locals because they will be able to launch and go directly to their final destination without having to go to Glen Island. He stated that this would truly make Bolton Landing a premier lake access site when it comes to using any State facilities on the lake.

Dock spaces

Joan Baldwin stated that Norowal is full for next season and there is a 119 on a waiting list. Phil Farbaniec stated that late in the season he saw dock spaces available in Diamond Point. Jason Saris stated that there are always dock spaces available. Scott Andersen agreed and stated that prime protected spots are hard to come by.

Executive Session:

Joel Jacko moved, seconded by Scott Andersen to adjourn to Executive Session at 6:15 p.m. All in Favor. Motion Carried.

Next meeting: Wednesday, December 17, 2008 at 5:00 PM at Town Hall.

Minutes respectfully transcribed by
Kristen MacEwan

Recording Secretary