

**Bolton BLDC/NMI Meeting  
September 30, 2009**

**PRESENT-** Phil Farbaniec, Zandy Gabriels, Joel Jacko, Scott Andersen, Jason Saris. Kathy Simmes and Art Baker

**ABSENT-** none

The meeting was called to order at 6:10 pm.

**TREASURER'S REPORT:**

Phil Farbaniec stated that as of 2 weeks after Labor Day the numbers are relatively close to last year. He stated that they have to take the gas prices last year into consideration.

Joel Jacko stated that there is about \$40,000 in the mortgage account. They have just moved \$30,000 to Saratoga for a CD which is to be matched with the \$148,163.01 that is currently over there. The current CD at Saratoga will be auto-renewed on 6/15/10. The other CD's are at GFNB- 1) \$100,000- 20 months-auto renewal of 1/27/11 and 2) \$34,444.29- 12 months-auto-renewal of 5/27/10. The total amount in CD's is over \$300,000.

Phil Farbaniec stated that he feels that they are in a very strong financial place. However, they have not done any major maintenance projects this year. Joel Jacko stated that they need to give some serious thought to the dock situation. He feels that they can do some negotiating with Glens Falls National Bank with a small business loan instead of using their cash. He stated that they have an estimate from the Dock Doctors who are interested in meeting with the Board. However, he feels that the Board should take their own evaluation of the docks to be better prepared. Jason Saris agreed and added that they could even invite the State to do an evaluation as well since they build and maintain docks all the time. He feels that they might be able to work out a system to re-build the docks over the course of a few years. Art Baker agreed. There was further discussion of involving the State.

Joel Jacko suggested that they meet with the bank to find out their alternatives for small business loans before they meet with the State. Scott Andersen stated that he felt it would be a great idea to foster a relationship with the bank.

There was some discussion about using the cash available versus taking out a small business loan. Joel Jacko stated that he feels that he would rather save the cash and CD's for emergency or to cover a bad year. Scott Andersen agreed that he would rather pay the minor interest and know that they have something to fall back on.

Joel Jacko suggested that they come up with a 5 year plan with regard to major upgrades and necessary repairs that will need to be made so that they can discuss their options with the bank. He

stated that once they know what their options are with the bank they can approach the State to see about covering half of the expenses. Phil Farbaniec stated that since they have their LA Group analysis he feels that they should really formulate a plan and make some sort of commitment in the upcoming future.

### **CORRESPONDENCE-**

Letter from Dave Wick- re: stormwater- Phil Farbaniec stated that he will address this during the meeting.

Letter from re: chain on ramp- This individual has been a customer of Norowal for several years who is very happy about the continued operation of Norowal, but disappointed that the ramp is closed and chained at 5pm.

Phil Farbaniec stated that he has also received a phone call recently from another customer complaining of the chain.

Request from the Darrin Fresh Water Institute that they be permitted to store a 37' boat and trailer over the winter.

Phil Farbaniec read a portion of the request. He stated that they are looking to store this boat at no charge. Scott Andersen stated that he was concerned because they are not a non-profit organization. Kathy Simmes asked if they would be taking up space that could otherwise be rented. Phil Farbaniec replied no. Jason Saris stated that he is concerned with the size of the boat. He stated that before they make any kind of commitment the Fresh Water Institute would need to be aware that they would need the boat out of there at a certain time.

Scott Andersen explained that this boat was donated to the Fresh Water Institute. He stated that they do not even have a trailer to pull it out. Kathy Simmes asked how they were going to have it removed. Scott Andersen stated that they are in a quandary over this because he has been personally been approached by Dave to deal with it. He stated that he has shied away from it because they do not have the facility or the equipment to deal with a 37' twin engine. He stated that they could haul it out and put it on blocks on the Fresh Water Institute. However, they do cannot get it out at that location due to the pivot point over the hill. He stated that they do not even know what they are going to do with it. Joel Jacko stated that this would be no problem for them at Norowal as long as it is out on time.

Scott Andersen stated that they would need to require the Fresh Water Institute to supply everything to block the boat and provide insurance. Phil Farbaniec stated that this would need to be put some place where they don't have to plow and someplace where it could be easily moved. He thought that they might locate it near Sagamore Road. Scott Andersen stated that he felt that they could find a spot for it. He stated that he doesn't have a problem helping them out since they help the community so much. However, they are a for profit organization. Kathy Simmes stated that they charge the Town something for everything that they do. Scott Andersen agreed and stated that they often ask for something free in return. Jason Saris suggested that they could respond with a letter or phone call requesting proof of their not-for-profit status. As per their policy if they provide the not-for-profit status they could accommodate their request at no charge and if not, their storage rates could be provided. There was further discussion of storage and rates.

Jason Saris stated that he would call the Darrin Fresh Water Institute to discuss the matter and request proof of the filing status. Joel Jacko stated that he would get the most current storage rate that they are using from the managers. Jason Saris stated that he would await that information prior to calling. Zandy Gabriels suggested discussing the option of trading services for the storage of the boat to benefit the Town. The Board agreed that Jason Saris should explore that option as well.

Bid from Trimworks- re: collection of cans and bottles dropped around the docks. Phil Farbaniec stated that the bid specifies that they would do this service twice a year, spring and fall, for a total of \$450.00. Jason Saris stated that this used to be dock boy work. Phil Farbaniec stated that he likes that idea better. The Board agreed.

### **NEW BUSINESS:**

NYS Workman's Comp info request completed by Muller/Gabriels and sent it to Marshall & Sterling for their handling with NYS. Zandy Gabriels stated that Marshall & Sterling submitted everything on time.

End of Season wrap-up- Norowal will be closing October 30<sup>th</sup>. Chain will be coming down.

Gas tanks- clean out- fall or spring? Cost?

Phil Farbaniec stated that both tanks have been cleaned for a cost of \$3,300. This needs to be addressed periodically but he is not sure of the how often. Scott Andersen asked if they were pressure tested. Phil Farbaniec stated that he was not sure but he would find out.

Anticipated price changes for 2010- staff will need for mailer December/January. Scott Andersen stated that he thought they decided that it was going to be a 3 % across the board. He stated that they discussed increasing a little bit every year or so, so it was such a big adjustment. Jason Saris agreed that they should make smaller increases. Phil Farbaniec suggested leaving the launching and parking alone but increasing the dock rental. There was further discussion of the rate changes. The Board decided to leave the parking and launching fees the same but increase the docking fee by 2-3% for 2010. Phil Farbaniec stated that he will notify the managers.

NYS ORPS- Allocation percent = 60%- State payment of property taxes current and prior years. Does this impact the terms of the CE in any manner? Muller's comments emailed to all. Neither Frank O'Keefe or Dave Rosebrook will take any further action until each hears back from Zandy Gabriels or Board of Directors awaiting legal opinion.

Phil Farbaniec stated that they have been assured by Counsel Muller that this will not have any affect on the Conservation Easement and that it would be wise and prudent to accept the 60% allocation factor. Scott Andersen stated that he still does not want to give the State the 60%. He is concerned that this could open a window with the State having more control. He feels like the people that they deal with at the State changes constantly and everyone's interpretation is different. He feels like they should ask the State for a letter stating that although they have an allocation of 60% when it comes to payment of taxes it does not impact the original Conservation Easement. Jason Saris stated that he understands his concerns but he feels that the percentage is

based on the value of what they purchased from them and how the property is valued. He stated that this all could be spelled out in the MOP which could ease a lot of their fears in how the marina is run and who is responsible for the present as well as future Boards.

Zandy Gabriels suggested that they thank the NYS ORPS for the 60% and suggest that they only take a 49% allocation factor. Jason Saris agreed that this could be an option for them but stated that whatever the allocation ends up being it could be further explained in their MOP of who holds the majority of control in the daily operation of the marina.

**RESOLUTION:**

Motion by Joel Jacko to approve the 60% allocation offered by NYS OPRS for the payment of property taxes past and present for Norowal Marina. Seconded by Kathy Simmes. Motion Carried.

Dave Wick memo- re stormwater issues

Zandy Gabriels stated that Dave Wick did a site visit and provided 2 options for the stormwater issue: 1) re-grading of the area creating a berm to divert the water away and into the wetland. 2) paving of the driveway with infiltration trench leading to the wetland. Dave Wick provided details as to how to best do either plan as well as approximate cost involved.

Joel Jacko stated that he is concerned with Option 1 with the re-directing of water because he doesn't know if it will solve their problems. Scott Andersen stated that it has grown into a much larger project. Phil Farbaniec asked if this is work that Melvin can do. Scott Andersen stated that Melvin can do the first option. Phil Farbaniec suggested that they do the work in the spring instead of the fall since it could get plowed away over the winter. Scott Andersen stated that he does not feel like it would be plowed away. There was further discussion on what Melvin had proposed to do prior to Dave Wick's letter. Scott Andersen stated that he understands that it will not completely get rid of all the water, but it could divert a large portion of it and dry up the area and make it more reasonable.

There was discussion over whether or not they should contract the work or let Melvin do it. Scott Andersen stated that Melvin has done a great job at Norowal and he is looking forward to taking ownership of a project he can fix. He feels like they should spend the money to rent the equipment and materials and let Melvin fix it. He stated that Melvin has also suggested adding a guardrail for safety. Jason Saris stated that he understands Scott's point but feels that Melvin could still be involved if they contracted it out by overseeing the project.

Phil Farbaniec asked if they would need permission to do the project and if they decide to bring contract the work, would they be obliged to put it out for bid. Scott Andersen stated that since it is a smaller project it probably would not require a bid. Jason Saris stated that they are Norowal Marina Inc. and they do not have to pay prevailing wage so they would not have to put it out to bid.

Scott Andersen feels that they should let Melvin handle the project on his own. Joel Jacko stated that he was concerned that they do not know the cost. Scott Andersen stated that they could ask

Melvin to contact a few contractors for proposals to do the work as well as get the cost of the equipment rental and supply costs to do it himself. There was further discussion of the cost to do Option 1 for the project. Scott Andersen stated that he would get some cost figures regarding the project so that they could make their decision.

Ray Supply- video camera/motion detector/ computer for launch ramp after hours  
Jason Saris stated that the basic equipment costs \$1,700. This camera that would be connected to a computer and it would be set up so that it does not take a lot of time to review the record. The camera will be running however, it will fast forward to any parts where motion was detected. Kathy Simmes asked if the camera was programmable for particular times. Jason Saris replied yes. He stated that the equipment is \$1,700, programming costs \$200 and the rest of the installation would be dependent upon what they wanted to do themselves or what wanted Ray Supply to do at a rate of \$65/hour. He stated that Ray Supply has offered for a staff member to do a walk-through with them and then they could give them a better proposal. Kathy Simmes stated that there are some surplus computers at the Town Hall. She stated that one of these computers could be used for this purpose.

Jason Saris stated that he feels that using Ray Supply would be their best option since they have support staff close by to handle questions, concerns or repairs. He stated that it is a reasonable solution to the chain problem and their obligation to see that everyone pays the same.

Jason Saris stated that Ray Supply did not recommend a motion detected camera because they are more problematic due to wind or insects which could turn it on. The other cameras use programs that allow them to have the same effect but without the motion sensor.

Zandy Gabriels stated that this looks like it could cost \$2,500 and asked if they had the funds to do that right now. Phil Farbaniec replied yes. Zandy Gabriels suggested that they get it up and going before the end of the season and take the chain down. This way they can see how it works before the start of the 2010 season. The Board agreed. Jason Saris stated that this not only takes care of the ramp issue but also provides a bit of security when they are not there. He stated that this system could also be expanded upon at a later date.

Art Baker asked the Board if they should consider looking at other audio/video places to get quotes. Scott Andersen stated that he trusts Ray Supply because they have been in the area for so long. The Board agreed.

**RESOLUTION:**

Motion by Zandy Gabriels to appropriate up to \$3,000 for a security system through Ray Supply. Seconded by Joel Jacko. All in Favor. Motion Carried.

Joel Jacko suggested that as soon as they sign a contract with Ray Supply the chain should come down. Kathy Simmes agreed. Joel Jacko stated that he feels that it would be a great gesture and good for the community. Scott Andersen disagreed and stated that it is a slap in the face to those who don't abuse the system. He feels that they should wait until the system is up and running before they take the chain down.

Art Baker asked if there would be signage for the new system. Kathy Simmes stated that there would need to be some sort of notice of the new system.

Scott Andersen stated that in order for this to work there needs to be something in place to justify all of the individuals that did pay. He stated that they will need to be in communication with the local police department to run any plates and go after those people who didn't pay. Kathy Simmes stated that she thought they would be handling the violators. Jason Saris stated that he feels that they should make everyone aware because the idea is to have compliance and not to trap people. Kathy Simmes stated that she was concerned that this might get some people in trouble that launched in the spring, had a dock space all summer and are now taking their boats out. Jason Saris stated that it is going to take some effort in the beginning. They can call these people up and let them know that they are on the security camera tape. If the individual states that they paid in the spring all they would have to do is to present them with a receipt. Scott Andersen stated that they could handle the violators themselves, but they will need to have the PD to run the plates and possibly get involved if someone is not willing to make a necessary payment.

Jason Saris stated that he feels the biggest deterrent would be the consequence of the abuse of the after hours honor system. The signage would include wording that would explain that abuse would result in the loss of privileges at the facility. Kathy Simmes asked if there is any time where there is no charge for the use of the ramp. Scott Andersen stated that there is no charge from November 1<sup>st</sup> until ice out in the spring.

#### **RESOLUTION:**

Motion by Scott Andersen to leave the chain up until the security camera is installed and active. Seconded by Zandy Gabriels. All in Favor. Motion Carried.

MOP- to be copied, distributed and revised for all BOD

Phil Farbaniec stated that they really need to get this rolling and done. He stated that it is important that they complete this before the DEC. Jason Saris suggested setting a deadline for a draft to be reviewed by the BLDC in December. Joel Jacko suggested meeting in small groups and then coming together to discuss their ideas. Jason Saris agreed and stated that once the draft is complete they could hold a couple of workshops for review. The Board agreed.

#### **OLD BUSINESS:**

Electrician- Fitzgerald provided concept for future improvements- 8 boats are heavy users.

Zandy Gabriels stated that this will need to be addressed at some point in the future.

LGA Floating Classroom- winter storage/summer storage?

Phil Farbaniec stated that this is the first year they are doing the storage at Norowal He asked the Board if they should offer the inside storage. Scott Andersen stated that he is not sure if it would fit. Jason Saris stated that he does not have a problem offering them inside storage pending that it fits.

Concept of self launch- raised earlier- requires 1/4 ton 4WD truck/ check with insurance- and Counsel Muller

Phil Farbaniec stated that he does not feel that they could realistically consider this option at this time. He does not feel that they have enough potential business to make that investment. Jason Saris stated that they won't know if it would be worth it without giving it a try. Scott Andersen stated that they would first have to commit to marketing it through advertising, a website and marine trade events. Jason Saris stated that they really need to start considering this like dock space rentals. He stated that there are other marinas around that do similar things. He stated that people are looking to store their boat somewhere so that they do not have to haul it back and forth every weekend. Scott Andersen stated that this service could be very lucrative. However, it takes a lot of work and until they have the marketing in place it doesn't justify the expense. Jason Saris stated that he feels that they should start working on the conceptual part of this because it does not cost any money to do that. At least they could start the beginning steps to move this along when they are ready.

Phil Farbaniec stated that this all leads to the lack of use of the website. He feels that they really need to upgrade their site and they should address that first. Kathy Simmes agrees. She stated that the current site is geared more towards the Board and not customers. Art Baker suggested that they speak to Sara Mannix. Kathy Simmes stated that she is very expensive. Scott Andersen agreed and stated that there are other marketing firms out there that can do it just as well for a lot less. Jason Saris suggested that someone review their current site and other marina sites and make some recommendations of what they might want. Scott Andersen agreed but stated that they need to look at launching facilities that are similar to them because a lot of marinas around here are into sales and rentals. Art Baker stated that Joan Baldwin has often asked him if they should consider dropping marina from their name since they do not have any sales, rental or service anymore. Jason Saris stated that they will always be a marina. He stated that even places that just rent dock space are considered marinas.

Art Baker stated that he would do the review of the websites and report back with comments and suggestions.

NYS DOT Easement for 9N re-paving

Scott Andersen stated that Counsel is still working on this issue. He stated that he will continue to follow up with Counsel and report back.

Next Meeting: Wednesday September 30, 2009 @ 6:00pm.

**ADJOURN:**

Motion by Joel Jacko moved to adjourn the meeting at 8:10pm. Seconded by Jason Saris. All in Favor. Motion Carried.

