

AGENDA  
REGULAR MEETING  
BOLTON TOWN BOARD

August 2, 2022

Regular Meeting:

Supervisor: Ronald Conover  
Councilman: Robert MacEwan  
Councilmember: Wanda P. Cleavland  
Councilmember: Susan Wilson  
Councilman: Brendan Murnane  
Town Clerk: Jodi Petteys  
Counsel: Mr. Hafner  
Minute-Taker: Kate Persons  
Acting Director of Planning & Zoning: Josh Westfall

Meeting Call to Order: 6:00PM.

Pledge: Councilmember MacEwan

Minutes:

- Approve the July 5, 2022 Regular Town Board Meeting Minutes.
- Approve the July 19, 2022 Special Town Board Meeting Minutes.

**PUBLIC HEARING**

Public Hearing for consideration of commencing the process of creating a special EMS District follows:

**WHEREAS**, the Bolton Town Board (the "Board") is considering forming the Bolton Ambulance District (the "District") covering the entire area of the Town in accordance with Article 12-a of New York Town Law for the purpose of providing emergency medical and ambulance services within the Town; and

**WHEREAS**, the purpose of establishing the District is to ensure the health and safety of those in Bolton who may find themselves in need of emergency medical care. This is not only a crucial but potentially lifesaving endeavor which will benefit the people of the Town in any event that emergency medical services are required; and

**WHEREAS**, upon formation of the District, tax dollars acquired through the Bolton Ambulance District shall only be used by that District going forward.

**WHEREAS**, the Town feels that having a specific budget item to designate funds dedicated to the newly established Ambulance District is paramount in terms of transparency and accessibility of such information to the people of the Town of Bolton; and to provide the funds necessary for such services; and

**WHEREAS**, a Map, Plan and Report (the “Map, Plan and Report”) has been prepared concerning the proposed District; and

**WHEREAS**, the Map, Plan and Report has been filed in the Town Clerk's Office and is available for public inspection; and

**WHEREAS**, the Map, Plan and Report is relevant to the entire area of the Ambulance District which will encompass the Town of Bolton in its entirety; and

**WHEREAS**, establishment of the proposed District has been determined not to be an Action under the State Environmental Quality Review Act (SEQRA);

**NOW, THEREFORE, IT IS HEREBY**

**ORDERED:**

1. The boundaries of the proposed District will encompass the Town of Bolton in its entirety. The map is attached to the Map, Plan and Report filed in the Town Clerk’s Office.
2. Services to be provided include Basic Life Support transport and treatment and arranging for or providing Advanced Life Support Treatment in compliance with the Regulations of the New York State Department of Health, Bureau of Emergency Medical Services. These services will be provided by contract for the Bolton Ambulance District with the Bolton EMS Services, Inc.
3. For the first year of operation of the Bolton Ambulance District, the maximum cost to be expended is estimated to be \$425,000 for the contract for services.
4. No capital improvement costs are anticipated for the proposed District, so there will be no debt service costs related to the proposed District.
5. The estimated cost to the typical property in the District, which typical property is a one or two family residence having an assessed value of \$459,000 for the first year of operation of the District is \$102.36 as it relates to sixty-nine (69) parcels of land throughout the Town. This estimated cost is based on a total cost for the first year of \$425,000 divided by a total taxable assessed value of property in the Town of \$1,909,521,707, resulting in a tax rate of \$.223 per \$1,000 of taxable assessed value. Therefore, the estimated annual cost to the typical property is \$102.36.
6. A detailed explanation of how the estimated cost of the District was computed is included in the Map, Plan and Report which has been filed with the Town Clerk and is available for public inspection.

7. The Town Board shall meet and hold a public hearing at the Town Hall, 4949 consider the Map, Plan and Report and to hear all persons interested in the proposed District and to take such other and further action as may be required or authorized by law.

8. The Town Board hereby authorizes and directs the Town Clerk to duly publish and post this Order not less than ten (10) days nor more than twenty (20) days before the Public Hearing date as required by Town Law §209-d, and to complete or arrange for the securing of two (2) Affidavits of Publication and two (2) Affidavits of Posting required hereby and to file a certified copy of this Order with the State Comptroller on or about the date of publication. Posting shall include placing on the Town's website.

- Resolution to close the Public Hearing
- Resolution regarding the Establishment if Bolton Ambulance District.  
This resolution is subject to permissive referendum.

## **PUBLIC HEARING**

### **NEW ORDINANCE #48 ENTITLED**

### **REGULATING EBIKES IN THE TOWN OF BOLTON**

### **BE IT ENACTED as follows:**

#### **§87-1 Intent, Authority**

The purpose of this Ordinance is to allow class one and class two bicycles with electric assist to operate everywhere a bicycle without electric assist can lawfully operate within the Town. This Ordinance is adopted pursuant to New York Vehicle and Traffic Law Section 1242 and New York State Town Law Section 130. In particular, Vehicle and Traffic Law Section 1242 authorizes the Town Board to further regulate the time, place, and manner of the operation of bicycles with electric assist by Ordinance.

#### **§87-2 Definitions**

The terms “bicycle with electric assist”, “class one” and “class two” shall have the same definition as contained in New York Vehicle and Traffic Law Section 102-c.

#### **§87-3 Allowance of Bicycles with Electric Assist**

The use of class one and class two bicycles with electric assist are hereby allowed to be operated anywhere bicycles without electric assist are legally allowed within the Town including roads with speed limits over 30 miles per hour.

#### **§87-4 Repealer; Supersession**

All Local Laws or Ordinances or parts of Local Laws or Ordinances in conflict with any part of this Ordinance are hereby repealed.

#### **§87-5 Severability**

The invalidity of any clause, sentence, paragraph or provision of this Ordinance shall not invalidate any other clause, sentence, paragraph or part thereof.

#### **§ 87-6 Effective Date**

This Ordinance shall take effect immediately upon passage by the Town Board.

- Resolution to close the Public Hearing

#### Public in Attendance:

#### Correspondence:

- Geoffrey R. Louis regarding the Jacobi Point Owners septic variance request.
- Eric Morris, Board President of Juniper Hills Villas regarding the Jacobi Point Owners septic variance request.
- Santore's World Famous Fireworks, LLC on 7/24/2022 at 9:15 PM for the Sagamore Resort.
- The Sembrich benefactor reception.
- Historical Society book launch *Stewards of the Water* event.
- Association of Towns membership dues.

#### Committee Reports:

Councilman: Robert MacEwan

Councilman: Brendan Murnane

Councilmember: Susan Wilson

Councilmember: Wanda P. Cleavland

#### Supervisors Report:

- Deposits: \$ 782,555.60
- Disbursements: \$ 1,160,425.59
- Rogers swim area was closed Saturday the 23<sup>rd</sup> due to high coliform count. The swim area was reopened the 25<sup>th</sup> on Monday after a satisfactory retest and the latest water quality test result was excellent. Weekly water quality tests at Veterans have been excellent.
- Town busy and looks beautiful, our Town employees continue to do excellent work.

- Water main bypass due to Horicon bridge project operating as planned. Bridge project required some blasting of rock which was well handled and had no effect on the temporary main. PRV stations operating as expected. We do have some water and hydrant repairs that we are planning to address after Columbus Day.
- Sewer District recently received a satisfactory review by NYSDEC during its recent on-site audit.

New Business:

- Resolution to update the Town of Bolton Sexual Harassment Policy to include the mandated hotline to obtain free legal counseling.
- Resolution to authorize the Supervisor to enter into a professional service agreement for the Town of Bolton Historical Museum Exterior improvements with Titan Roofing Inc. in an amount not to exceed \$361,910.00.
- Resolution to authorize a Public Hearing to be set to consider amending ordinance #40, entitled REGULATING PARKING WITHIN THE TOWN OF BOLTON at the regularly scheduled 6:00 pm, September 6, 2022 Town Board meeting, and to authorize the Town Clerk to advertise such public hearing.

Public in Attendance

TRANSFERS FOR AUGUST 2022

To	From	Amount
<u>WATER:</u>		
8310.4 Administration CE	8340.2 Trans/Dist EQ	\$7,730.00
8340.4 Trans/Dist CE	8340.2 Trans/Dist EQ	\$834.00
<u>SEWER:</u>		
8120.4 Sanitary Sewers CE	8110.4 Administration CE	\$4,215.00

ADDITIONAL TRANSFERS:

\$150,000.00 to be transferred to Veterans Park Capital Projects account from Rogers Park Capital Projects account.

Pay the Bills:

Abstract 7A

General	1094-1136	4,394.30
Sewer	210-218	2,739.16

Water	175-178	1,367.28
St Lights	29-31	51.20

Abstract 8

General	999-1093 1137-1163	66,512.89
Highway	225-253	46,868.89
Sewer	193-209 219-221	17,349.71
Water	160-174 179-184	31,505.20
B&G Building Project	7	2,060.00
St Lights	32	329.92
Tourism	34	3,221.38
Sewer Infiltration/Bioreactor Proj	6-7	4,675.00
Water Improve	2	1,719.00
Vets Park Enhance Project	2	1,733.35

Adjourn: