

**TOWN OF BETHANY**

**REGULAR TOWN BOARD MEETING**

**09 SEPTEMBER 2024**

Supervisor Hyde opened the September 09, 2024 Regular Town Board Meeting at 7:01 p.m. with the Pledge of Allegiance followed by a prayer offered by Councilman Embt.

Town Officials in Attendance were:

|                            |                            |
|----------------------------|----------------------------|
| Carl Hyde, Jr., Supervisor | Jeffrey Fluker, Councilman |
| David DiMatteo (Attorney)  |                            |
| Timothy Embt, Councilman   | Steve Wells, Councilman    |
| Eli McWhittney (Attorney)  |                            |
| Diane Fowler, Councilwoman | Shauna Klump, Town Clerk   |

Barbara Czworka, Highway Superintendent

**Town Clerk Report – Shauna Klump**

- Presented the Minutes of the August 2024 Regular Town Board meeting.

On **MOTION** made by Councilman Fluker, duly seconded by Councilman Wells, to approve the Minutes of the August 2024 Regular Town Board meeting as presented. Motion passed with All In Favor.

- The Clerk's Monthly Report and Bank Statements for August were reviewed by the Town Board.

**Highway Superintendent Report – Barbara Czworka**

- 6300 was repaired from sensor issue, but now is on the side of the road has an antifreeze leak.
- Trimmed up more branches to prep for chip sealing.
- Mowing is being worked on, small issue keeping mower up and running.
- Chip sealed for Pavilion and Middlebury.

- We also Chip sealed Chaddock road, Smith Road, and Mill Road with the help from Stafford, Middlebury, Pavilion, and Covington.
- Hauled Blacktop for pavilion for a parking lot.
- Helped haul blacktop for County at County Park.
- Mowed and weed wacked Putnam rd. Cemetery.
- Have been working on shared arm mower, waiting on more parts.
- Broomed all the chip sealed roads.
- Gas tank cleaned, ready for paint.
- 1204 is visiting Jeffres again for transmission leak.
- Weeded again around Cupula, with the help from Shauna, which has been greatly appreciated.
- Looking for a 24–36-inch post hole digger, to put sign up at Cupula.

### **Board Committee Reports**

**Councilman Fluker**- Quiet month couple fires

**Councilman Wells**- No planning board meeting

**Councilman Embt**- No Zoning board meeting

**Councilwomen Fowler**- Next water meeting in October

### **NEW BUSINESS**

#### **Water District #5**

- Still waiting to hear from State Comptroller

#### **Embt Land Purchase**

- Resolution to Purchase Embt Land for water Tower. Board reviewed (Tim Embt) Left the room. All in favor.

#### **Highway Garage Renovation**

- Please read attachment A motion to approve was made by Jeff Fluker and seconded by Tim Embt all in favor.





September 6, 2024

Carl Hyde, Jr.  
Town Supervisor  
Town of Bethany  
10510 Bethany Center Road  
East Bethany, NY 14054

**Re: Town of Bethany Highway Garage  
Roof Replacement**

Dear Supervisor Hyde:

We appreciate the opportunity to submit this proposal for engineering services related to the design, bidding, and construction of improvements to the Town of Bethany Highway Garage. The existing flat roof system has outlived its useful life expectancy and leaks in several locations. Based on discussions with the Town, we understand the preferred method of replacement is to utilize trusses installed over the existing flat roof with purlins and metal roofing, which should provide the Town with a reliable system for the next 50-years. In addition, other improvements will include the replacement of select windows and doors, along with the installation of exterior insulation and metal siding.

**Project Scope**

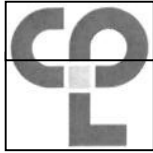
Design

- Development of design plans suitable for bidding, including plan views, sections, and appropriate details. We are anticipating, based on previous site visits, that significant structural modifications will be required to certain areas of the building to accommodate the new roofing system.
- Present options to the Town for the materials that will be incorporated into the project, including the metal roofing and siding.
- Preparation of project specifications, which will include bid form, agreement, funding agency requirements, detailed building specs, and other legal sections to protect the Town.

Bidding Phase

- Provide up to twenty (20) sets of plans, specifications, and contract documents to be issued to prospective bidders.
- Respond to bidders' questions during the bidding period and issue any addenda required for the interpretation and clarification of the bidding documents.
- Attend the bid opening, review bids for compliance with the bid requirements and mathematical correctness, prepare the bid tabulation, investigate bidders'





qualifications, and prepare a written recommendation for the award of the contract.

Construction Phase - Administration

- Provide construction administration services, which include shop drawing review, processing of payment requests, preconstruction and project meetings, schedule coordination, preparation of change orders, coordination with the contractor and Town, final inspection and punch list, and preparation of record drawings.
- Up to 2 site visits per week during construction, anticipated to be 3-months, to observe the contractors work and ensure compliance with the contract documents.

**Project Fee**


Our fee proposal to complete the work described above is as follows:

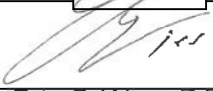
| Task                               | Fee             |
|------------------------------------|-----------------|
| Design                             | \$27,500        |
| Bidding                            | \$6,000         |
| <u>Construction Administration</u> | <u>\$15,600</u> |
| Total:                             | \$49,100        |

We appreciate the opportunity to submit our proposal and look forward to working with all those involved.

If you have any questions or require any additional information, please contact me at (585) 260-4970.

Very truly yours,

CPL 



Eric C. Wies, P.E.  
Vice President

Proposal Accepted By:

Signature: \_\_\_\_\_

Date: \_\_\_\_\_



**TOWN OF BETHANY  
RESOLUTION AUTHORIZING THE EXECUTION OF A PURCHASE CONTRACT  
FOR LAND TO BE USED FOR WATER DISTRICT NO. 5**

Adopted: September 9, 2024

**WHEREAS**, the Town Board of the Town of Bethany met at a regular board meeting at the Town Offices of the Town of Bethany in the Town of Bethany, New York on the 9<sup>th</sup> day of September, 2024, commencing at 7:00 p.m., at which time and place the following members were:

|                 |            |                     |
|-----------------|------------|---------------------|
| <u>Present:</u> | Supervisor | <u>Carl Hyde</u>    |
|                 | Councilman | <u>Jeff Fuller</u>  |
|                 | Councilman | <u>Diane Fowler</u> |
|                 | Councilman | <u>Steve Wells</u>  |
|                 | Councilman | <u>Tim Embt</u>     |
| <u>Absent:</u>  | _____      | _____               |

**WHEREAS**, all Board Members, having due notice of said meeting, and that pursuant to Article 7, §104 of the Public Officers Law, said meeting was open to the general public and due and proper notice of the time and place whereof was given as required by law; and

**WHEREAS**, the Town of Bethany is working toward the establishment of Water District No. 5 in the Town of Bethany; and

**WHEREAS**, Town Engineer Zach Anderson of Clark Patterson Lee has, at the request of the Town of Bethany Town Board, designed a location for the installation of water tower to be used to distribute water in connection with Water District No. 5; and

**WHEREAS**, the plans designed by said engineer require the Town of Bethany to enter into a purchase contract to obtain said location in fee and obtain certain easements associated with the construction of the water tower thereon; and

**WHEREAS**, the parcel on which the proposed aforesaid location is situated is identified as SBL # 8.1-72.1 and is described as an approximately 182.20 acre parcel of vacant land at 10720 Bethany Center Road, Bethany, New York; and

**WHEREAS**, the aforesaid parcel is held in fee by Timothy and Susan Embt (f/k/a Susan Meyers); and

**WHEREAS**, the aforesaid Timothy and Susan Embt have offered to convey approximately 1.35 acres of said parcel to the Town of Bethany, in fee, in consideration for the purchase price of \$17,500.00; and

**WHEREAS**, in addition, for the consideration set forth above, the aforesaid Timothy and Susan Embt have also agreed to provide a temporary construction easement to last for the term of eighteen (18) months after the formation of Water District No. 5 as well as a Right of Way in common with the Town of Bethany for the Embt's use of the parcel for farm purposes; and





**WHEREAS**, the Town Board, acting for and on behalf of said Water District, is desirous of executing a purchase contract for said land and easements on behalf of said Water District, on the condition that the contract be subject to the formation of said Water District; and

**WHEREAS**, the Town Board has examined said purchase contract and finds the consideration described above to be fair and reasonable for the value conferred; and

**NOW ON MOTION OF** Jeff Fowler which has been duly seconded by Steve Wells, now, therefore be it

**RESOLVED**, by the Town Board of the Town of Bethany that the Town Supervisor be authorized to execute the purchase contract between the Town of Bethany and Timothy and Susan Embt (f/k/a Susan Meyers); and be it further

**RESOLVED**, that the purchase contract be subject to the formation of Water District No. 5.

Ayes: 4

Nays: 0

Abstain: 1 - Tim Embt (requested left room)

Quorum Present:  Yes  No

Dated: September 9, 2024

Shauna Klump  
Shauna Klump, Clerk  
Town of Bethany

[SEAL]

The Town Board went directly into executive session at 7:44pm. Meeting was adjourned with a motion made by Jeff Fluker and seconded by Steve Wells all we in favor meeting ended at 8:29pm.

**Adjournment**

A **MOTION** was made by Councilman Fluker, duly seconded by Councilman Embt to adjourn the meeting at 7:44 p.m. The motion **PASSED** with All In Favor.

BY ORDER OF THE  
BETHANY TOWN BOARD  
DATED: September 09, 2024

Respectfully Submitted,  
  
Shauna Klump, RMC  
Bethany Town Clerk