

TOWN OF BETHANY

REGULAR TOWN BOARD MEETING

11 JUNE 2007

Supervisor Gayton opened the June 11, 2007 Regular Town Board Meeting at 7:32 p.m. with a Moment of Silence followed by Councilman Gick leading in the Pledge of Allegiance.

Town Officials in Attendance were:

Louis Gayton, Supervisor	Joyce Fleming, Councilwoman
Walter Wenhold, Councilman	William Gick, Councilman
Susan Neer, Councilwoman	Thomas Douglas, CEO/ZEO
Roy Hersee, Highway Superintendent	Thomas McBride, Town Justice

Attendees to the Meeting were:

Rita Dahl	Ray Ladd
David Bohn	Jeff Shelnut
Jim Phillips	Ray Cipriano
David DiMatteo, Town Attorney	

Finances

Supervisor Gayton presented the Finances for the month of May 2007.

Town Clerk Report- Debbie Douglas

Presented the minutes from the May 14, 2007 Regular Town Board Meeting.

A motion was made by Councilman Gick and seconded by Councilman Wenhold to accept the Minutes of the May 14, 2007 Regular Town Board Meeting as presented. The motion passed with All In Favor.

Wind energy surveys were in the mail on Saturday, June 9 and some of them have already been returned.

Informed the Town Board that Helen Milroy, Town Historian will be moving from the Town in August and will be resigning her position.

ZEO/CEO Report – Thomas Douglas

Presented and reviewed report of permits issued thus far this year.

Reviewed new regulations issued by the State for pools. Presented an information packet that he put together for property owners with pertinent information regarding the new pool regulations.

Highway Department Report – Roy Hersee

All snow equipment has been Carwelled and put away except for Truck 1201 because it is still out for repairs.

Pothole patching continues.

The three dirt roads in town have been graded and US Gypsum will be soaking them with brine to keep the dust down.

Ditches have been cleaned on Chaddock, Silver Extension and Buckman Roads. The shoulders have been pulled on Buckman and McLernon has been started.

Have started mowing road shoulders.

Highway Superintendent attended Highway School on June 4th – 6th with the main topic being underground tanks which are going to be more regulated and will have higher fees.

Truck 1201 is back a Caledonia Diesel and ready to be inspected by the Highway Superintendent.

Board Committee Reports

Joyce Fleming – Councilwoman

Presented the report from the Intercommunity Medical Building in Attica.

Walter Wenhold – Councilman  
Senior meals are going well.

William Gick – Councilman  
Old Town Hall Preservation Committee has held a couple of meetings.  
Are in the preliminary stages of compiling a preliminary application for listing on national, state, and local registries.  
Have spoken with County Legislator, Esther Leadley concerning grants.  
She has offered to provide a cover letter from the County Legislature and will help with possibly getting the State Legislature on board.  
Has received a call from a constituent complaining about potholes on West Bethany Road. There seems to be more traffic and feels it is dangerous.  
Highway Superintendent Hersee says that the repair of pot holes is on-going and they will be repaired as soon as possible.

Susan Neer – Councilwoman  
Summer recreation schedules should be received in the next week or two.

#### OLD BUSINESS

Resolution #8-2007 Comprehensive Plan – Adoption of  
Town Attorney David DiMatteo reviewed Resolution #8-2007 “Resolution Authorizing the Adoption of the Town of Bethany Comprehensive Plan”.

A motion was made by Councilman Gick and seconded by Councilman Wenhold to adopt Resolution #8-2007 “Resolution Authorizing the Adoption of the Town of Bethany Comprehensive Plan”. The motion passed with the following Roll Call Vote:

Supervisor Gayton – Yes	Councilwoman Fleming – Yes
Councilman Wenhold – Yes	Councilman Gick – Yes
Councilwoman Neer – Yes	

Bid Opening – Windows & Siding – Community Center

Bids received for new windows in the Community Center as follows:

Window Specialists, Lancaster, NY	\$ 6,888.00
New Look, LLC, Alexander, NY	\$ 8,000.00
Mooney Construction, Warsaw, NY	\$ 9,600.00
Allied Building Solutions, Batavia, NY	\$ 9,616.00
Bruce Smith Custom Carpentry, Batavia, NY	\$14,240.00

Bids received for siding on the Community Center as follows:

Erie Contracting, Lancaster, NY	\$19,830.00
New Look, LLC, Alexander, NY	\$20,000.00
Mooney Construction, Warsaw, NY	\$21,000.00
Bruce Smith Custom Carpentry, Batavia, NY	\$24,400.00
Allied Building Solutions, Batavia, NY	\$33,982.00

Board will discuss bids at next month’s regular meeting.

Dahl Special Use Permit – SUP0701 – Dog Kennel  
Planning Board conducted further site plan review as requested by the Town Board.  
Town Board completed SEQR.

A motion was made by Councilwoman Neer and seconded by Councilman Wenhold granting approval for SUP0701 submitted by Rita and Kathryn Dahl for a dog kennel on the property located at 11032 Buckman Road as stated in the site plan and the special use application. The motion passed with the following Roll Call Vote:

Supervisor Gayton – Yes	Councilwoman Fleming – Yes
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Councilman Wenhold – Yes  
Councilwoman Neer – Yes

Councilman Gick – Yes

## NEW BUSINESS

### Resolution #7-2007 – 2008 Reassessment Project

A motion was made by Councilman Gick and seconded by Councilman Wenhold to approve Resolution #7-2007 in support of the 2008 Reassessment Project. The motion passed with the following Roll Call Vote:

Supervisor Gayton – Yes  
Councilman Wenhold – Yes  
Councilwoman Neer – Yes

Councilwoman Fleming – Yes  
Councilman Gick – Yes

### Reappointment of Town Assessor Deb Conti

Supervisor Gayton asked if the Board members were in favor of reappointing Deb Conti as the Town Assessor when her appointment is up in September. All board members indicated that they are in favor of reappointing her to the position

### Possible Legislation Threatening Home Rule (Wind Energy)

Word has gotten out that Governor Spitzer is circulating proposed legislation that would exempt wind energy from home rule.

A motion was made by Councilwoman Neer and seconded by Councilman Gick to send letters to the appropriate people expressing the objections of the town to this type of legislation. The motion passed with All In Favor.

### Supervisor's Old Computer – Declare Excess Equipment

As the Town Supervisor's computer has been replaced and the old one has been cleaned of all files and due to the fact that the computer is obsolete a motion was made by Councilwoman Neer and seconded by Councilwoman Fleming to declare the Town Supervisor's old computer excess equipment. The motion passed with All In Favor.

Justice Tom McBride has the same make computer at home and offered \$4.00 for the computer. The computer was sold for that amount.

### BlueCross/BlueSheild

Notice was received that premiums may go up as much as 4%

### Dave Mullin – SUP0702 – Pond – Set Public Hearing

Public Hearing for SUP0702 will be held on Monday, July 9, 2007 at 8:00 p.m.

### Damage to Justice Bench

Glass top on Judge's bench was broken while the hall was being rented. Replacement will be paid for by the renters.

Looking for some type of barrier to close off the area during use by the public.

### Warrant

The Town Board approved payment of the bills as follows:

Prepaid	Total		
	General Fund	\$2,219.92	\$12,010.10
	Highway Fund	\$2,918.46	\$ 6,609.10

### Adjournment

A motion was made by Councilwoman Neer and seconded by Councilwoman Fleming to adjourn the meeting at 8:40 p.m. The motion passed with All In Favor.

BY ORDER OF THE  
BETHANY TOWN BOARD  
DATED: June 12, 2007

Respectfully Submitted,

Debbie L. Douglas  
Bethany Town Clerk