

TOWN OF BETHANY

REGULAR TOWN BOARD MEETING

13 September 2010

Supervisor Gayton opened the September 13, 2010 Regular Town Board Meeting at 7:24 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	Bill Gick, Councilman
Walter Wenhold, Councilman	Susan Neer, Councilwoman
Edward Pietrzykowski, Councilman	Debbie Douglas, Town Clerk
Lee Hendershott, Historian	Paul Fleming, Highway Superintendent
Bill Shea, Town Justice	Tom Douglas, CEO/ZEO

Attendees to the Meeting were:

George Squires, Genesee Co. Soil & Water Conservation
Steven & Maureen Leupold, Oatka Creek Water Shed Committee
Esther Leadley, Genesee County Legislature
Gail Smith, Fire Department President
Ramon Cipriano
Barb Pietrzykowski
Jason Duffy
Jim Phillips
Barb Czworka
Pat Pietrzykowski
Christina Duffy

Oatka Creek Watershed Management Plan - George Squires

- Mr. Squires gave a presentation concerning the purposes of the Oatka Creek Watershed Management Plan.
- Funding is available from grants and the Town of Wheatland is a municipal sponsor.
- Oatka Creek Watershed Committee is comprised of members from GCSW, G/FLRPC, local municipalities and others.
- Goals include the preservation of clean water, stream bank stabilization, stream clean up, and promotion of agriculture best practices.
- Chemical monitoring of Oatka and Black Creeks is being done in conjunction with SUNY Brockport and is a member item of Congressman Chris Lee.
- A symposium is being held on October 28th. Registration forms are available at the Town Clerk's office.

Finances

Finances for the Month of August 2010 are as follows:

General Savings	\$538,570.77
Five Star Bank Savings	\$ 18,250.48
Highway Savings	\$398,164.89
Capital Project Highway	\$ 18,735.27
AP/PR Account	\$ 5,992.90
T/A Account	\$ 4,285.55

reviewed and was granted preliminary approval with final approval upon submission of the survey and proof of merger.

- Honesty Theater has acquired insurance that will cover the day of performances.

Edward Pietrzykowski - Councilman

- Fire Department held their first breakfast of the season on Sunday. The tanker is back in service.
- Steve Mountain is researching grants for recycling.

Susan Neer - Councilwoman

- Attended the Attica Intercommunity Medical Center meeting on August 31st. Many capital improvements have been completed. Parking lot needs to be addressed. Blacktop is too costly. Oil and stone may be the solution. May ask the towns to contribute an hour or two of time to complete the project once the materials are purchased. The next meeting is in November.

Walter Wenhold - Councilman

- Senior meal attendance is still down.

Public Hearing - Duffy SUP1001

- Supervisor Gayton opened the public hearing at 7:53 p.m.
- Jason Duffy explained that the purpose of the special use permit was to allow them to raise and breed Great Pyrenees dogs. This breed is known as livestock guardians. The Duffys raise and breed Myotonic Goats that are an endangered livestock. These dogs are meant to protect the goats from the fox and coyotes. They will also breed and sell the puppies.
- The matter of a waste management plan was extensively researched by ZEO/CEO Douglas. After speaking with several sources, which are documented in the application file, it was determined that since the dogs will be living in the same area, indoors and out, as the goats, there really was no need to have a waste management plan for the dog feces.
- Supervisor Gayton closed the public hearing at 8:30 p.m.

A motion was made by Councilman Gick and seconded by Councilman Pietrzykowski to approve the Special Use Permit Application (SUP1001) for Christina & Jason Duffy located at 5657 Ellicott Street Road (TMP# 2.-1-57.21). The Duffy's can operate a kennel with not more than 5 dogs. A waste management plan is not a concern of the Town Board at this time. The motion passed with the following Roll Call Vote:

Supervisor Gayton - Yes	Councilman Gick - Yes
Councilman Wenhold - Yes	Councilwoman Neer - Yes
Councilman Pietrzykowski - Yes	

OLD BUSINESS

Old Town Hall - Update

- The deed has been filed with the County.
- Dave Carli is working on an ad for Craig's List.

Land Exchange with Pietrzykowski

- Barbara Pietrzykowski signed deeds and transfers. They will be forwarded to the Town Attorney for filing.

Hall Rental Contract

- Hall rental fee of \$50 per day has not been enforced for people who would like to decorate, etc. prior to the day of their event. This becomes costly to the Town due to labor and utilities. Due to this fact, anyone wanting to be in the hall prior to the day of their event will be charged the \$50 per day rental fee.

Kitchen - Locking Inside Door

- Locking the kitchen door is not allowable by NYS Building and Maintenance Codes.
- A rental agreement will be posted on the kitchen door stating that if the kitchen was not rented from the Fire Department no admittance is allowed except in the case of an emergency. The person renting the hall is responsible for making sure no one enters the kitchen and will be charged the full rental fee if this rule is violated.

Kitchen - Cleaning of Hood Vent

A motion was made by Councilman Wenhold and seconded by Councilman Pietrzykowski to pay 50% of the cost (approximately \$300) of having the hood and stove vent in the kitchen cleaned. The Fire Department is responsible for cleaning the screen traps on a regular basis. The motion passed with the following Roll Call Vote:

Supervisor Gayton - Yes	Councilman Gick - Yes
Councilman Wenhold - Yes	Councilwoman Neer - Yes
Councilman Pietrzykowski - Yes	

Drain Repair

- After extensive effort to obtain estimates for the repair of the drain and grease trap at the Community Center, only one estimate has been received.
- An estimate of \$3007.00 was received from Edward Hulme, Inc.
- Concern that if the work is not started soon the weather will be too bad to do the work.

A motion was made by Councilman Pietrzykowski and seconded by Councilwoman Neer to approve the repair of the drain and grease trap by Edward Hulme, Inc. in the amount of \$3007.00. The motion passed with the following Roll Call Vote:

Supervisor Gayton - Yes	Councilman Gick - Yes
Councilman Wenhold - Yes	Councilwoman Neer - Yes
Councilman Pietrzykowski - Yes	

Union Contract Negotiations - Update

- A meeting was held on September 7 to discuss the Union Contract. A counter proposal was submitted to the union.

Dog Law Changes

- There will no longer be a Dog Damage Fund of damage caused to property or livestock by dogs.
- Licensing fees will remain the same at \$5 for altered dogs and \$18 for unaltered dogs. \$1 of each altered dog fee and \$3 of each unaltered dog fee will be sent by state mandate to a population control program designated by the state.
- There will no longer be a purebred license.
- Impound fees will remain the same.
- Dog enumeration will be at the Boards discretion.
- These changes will be sent to the Town Attorney to update the local dog law.

Mowing Tractor - Purchase of

- After trying out the mowing tractor from Z & M Equipment the Highway Superintendent would like authorization to purchase the tractor.
- Due to the condition of the current tractor and constant repairs the Highway Department has had trouble keeping up with mowing and meeting the deadlines of the contract with the County.
- The options of purchase versus lease were discussed.

A motion was made by Councilwoman Neer and seconded by Councilman Wenhold to approve the purchase of the mowing tractor from Z & M Equipment for \$20,000.00. The motion passed with the following Roll Call Vote:

Supervisor Gayton - Yes	Councilman Gick - Yes
Councilman Wenhold - Yes	Councilwoman Neer - Yes
Councilman Pietrzykowski - Yes	

NEW BUSINESS

Town Clerk Travel Request

- The NYSTCA regional meeting will be held on October 4th at Byrncliff Resort & Conference Center in Varysburg.
- The speaker will be from NYS Ag & Markets concerning the changes in the dog law.
- Registration fee is \$25.

A motion was made by Councilman Gick and seconded by Councilman Wenhold to authorize the Town Clerk to travel to and attend the NYSTCA regional meeting at Byrncliff Resort & Conference Center in Varysburg on October 4th with a registration fee of \$25. The motion passed with the following Roll Call Vote:

Supervisor Gayton - Yes	Councilman Gick - Yes
Councilman Wenhold - Yes	Councilwoman Neer - Yes
Councilman Pietrzykowski - Yes	

Addition of Budget Line Items

- Budget Line Item number A.1320.4 will be added for Auditor Contractual.
- Budget Line Item number A.3089 will be added for Grants.

Highway Budget

- Some of the line items in the Highway Department budget will need adjustment.

Tonawanda Creek History

- The Tonawanda Creek Watershed Committee is asking for a history of the creek to include mills, etc. by October 1st. Town Historian Lee Hendershott will be working on this.

Warrant

- The Board approved payment of the bills as follows:

	<u>Prepaid</u>	<u>Total</u>
General Fund	\$ 1,552.97	\$ 11,854.90
Highway Fund	\$ 4,692.12	\$147,564.03

Reading of the Minutes - Suspension of

A motion was made by Councilman Pietrzykowski and seconded by Councilman Gick to suspend the reading of the minutes. The motion passed with All In Favor.

Adjournment

A motion was made by Councilwoman Neer and seconded by Councilman Gick to adjourn the meeting at 9:45 p.m. The motion passed with All In Favor.

BY ORDER OF THE
BETHANY TOWN BOARD
DATED: September 15, 2010

Respectfully Submitted,

Debbie L. Douglas, Clerk
Town of Bethany