

TOWN OF BETHANY

REGULAR TOWN BOARD MEETING

12 October 2010

Supervisor Gayton opened the October 12, 2010 Regular Town Board Meeting at 7:30 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	Deborah Conti, Assessor

Attendees to the Meeting were:

Ramon Cipriano

Finances

Finances for the Month of September are as follows:

General Savings	\$527,274.44	
Five Star Bank Savings	\$ 18,251.68	
Highway Savings	\$247,588.73	
Capital Project Highway	\$ 20,896.58	
AP/PR Account	\$ 7,749.12	
T/A Account	\$ 4,286.23	
Petty Cash	\$ 250.00	
Highway Fund Misc. Savings	\$ 858.22	
Total		\$827,128.04
Revenues Received		
Town Clerk	\$ 2,798.70	
Tax Collector	\$ 53.14	
County of Genesee	\$ 8,421.84	
NYS Department of Taxation	\$ 18,498.00	
Total		\$ 29,771.68
Total Interest & Revenue		\$ 30,052.02

Town Clerk Report - Debbie Douglas

- Presented minutes of the September 13, 2010 Regular Town Board meeting.
 - o Councilman Gick noted that the Town of Alexander is working with the railroad to repair the rail crossing on Molasses Hill Road. A couple of typos were also corrected.

A motion was made by Councilman Wenhold and seconded by Councilman Gick to approve the Minutes of the September 13, 2010 Regular Town Board meeting with the above noted corrections. The motion passed with All In Favor.

- Former Deputy Tax Collector and Highway Department employee, Robert Bower, passed away on September 27, 2010. Memorials are being suggested to the Fire Department or the East Bethany Presbyterian Church.

A motion was made by Councilman Pietrzykowski and seconded by Councilwoman Neer to make a \$25 memorial to each the Bethany Volunteer Fire Company and the East Bethany Presbyterian Church in memory of Robert Bower. The motion passed with the following Roll Call Vote:

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

ZEO/CEO Report - Debbie Douglas

- ZEO/CEO Douglas has received notification of the Niagara Frontier Building Officials Annual Conference and is asking permission to attend to acquire the mandated training hours for 2011. The Conference is to be held from January 24-26, 2011. The total cost is \$545.00 plus mileage with this cost to be split with the Town of Pavilion. The cost to the Town of Bethany would be \$272.50 plus half of the mileage cost.

A motion was made by Councilman Gick and seconded by Councilman Wenhold to authorize ZEO/CEO Tom Douglas to attend the 2011 Niagara Frontier Building Officials Annual Conference with the cost of \$545.00 plus mileage being split with the Town of Pavilion for a cost to the Town of Bethany to be \$272.50 plus half of the mileage Cost. The motion passed with the following Roll Call Vote:

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

Assessor Report - Deborah Conti

- Town is in line to comply with changes in assessment regulations.
- Board feels they would like to stay with the 3 year revaluation cycle as opposed to a 4 year cycle. All towns in the CAP have to agree to the same cycle. Assessor Conti will convey the Board's wishes to the other Town Boards in the CAP.
- Town would receive \$5 per parcel in the revaluation year and \$2 per parcel in the off years.
- Because the pictures were updated, everything is ready for the data mailing.

Highway Superintendent Report - Paul Fleming

- Will be receiving \$5,850 from the sale of the 1993 International Dump Truck at the October 2nd municipal auction in Rochester.
- Finishing grader patching on Brown Road and Bethany Center Road south of the County Park this week.
- Beginning to get trucks ready for winter. Working on plow frames and sanders.
- Mowing roadsides will continue when weather permits and snow fence installation will begin.

Board Committee ReportsWilliam Gick - Councilman

- Planning Board met on October 7th and approved a Land Separation application for Lance and Laura Sharlau on Molasses Hill Road. Will review a Land Separation application for Lor-Rob Associates next month.
- Rt. 63 & 20 Corridor and the proposed traffic circle at East Road and Rt. 20 were discussed at the Planning Board meeting.

Edward Pietrzykowski - Councilman

- Fire Department held breakfast on Sunday and it was well attended. Have received and are training with new air packs.
- Steve Mountain is still researching grants for recycling.

Susan Neer - Councilwoman

- Next Inter-Community Medical Center meeting will be in November.

Walter Wenhold - Councilman

- Senior meal attendance is getting better.

OLD BUSINESS

Old Town Hall - Update

- A letter was received from the Fire Department Board of Directors stating that the water at the Old Town Hall is not potable and that signs should be posted warning not to drink the water. This has been taken care of.
- Dave Carli has the ad for Craig's List ready. The Town Attorney will look it over and attend the next meeting of the Old Town Hall Committee.
- Andrea Rebeck from Preservation Buffalo Niagara will be coming out to look at the Old Town Hall and offer suggestions. This will be at no cost to the Town.

Kitchen - Locking Inside Door

- Supervisor Gayton has received a copy of the Code from ZEO Douglas which states that access to the electrical panel must be maintained. This will be forwarded to the Fire Department along with a drawing proposing the building of a wall through part of the kitchen to allow access should they wish to have the kitchen locked.

Dog Law Changes

- Board received draft of proposed dog law for their review.
- Genesee County Clerk's Association has worked together to order dog tags in bulk in order to receive a lower price.
 - o Tags will be shipped to Town of Batavia but billed to each Town individually.
 - o This will be a one-time price because it is not likely that a large number of clerks will need to reorder at the same time again.

A motion was made by Councilman Wenhold and seconded by Councilwoman Neer to approve the purchase of 2000 dog tags in a bulk shipment to be shipped to the Town of Batavia to be picked up the Town Clerk and billed to the Town of

Bethany at 10510 Bethany Center Road, East Bethany, NY 14054. The cost of the tags is \$105.94 per 1000 with a total cost of \$211.98. The tags shall be imprinted with the Town/County Code of 1805, and the Town phone number of 585-343-1399. The motion passed with the following Roll Call Vote:

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

- There will also be a need for perforated paper for printing of the licenses. The Association is trying to work out a bulk order for this also.

NEW BUSINESS

2011 Preliminary Budget

- Board will hold a workshop on November 4, 2010 at 7:00 p.m. to review the 2011 Preliminary Budget prior to the public hearing.

Public Hearing - Setting of - 2011 Town of Bethany Budget

A motion was made by Councilman Wenhold and seconded by Councilwoman Neer to hold a Public Hearing for the 2011 Town of Bethany Budget on November 8, 2010 at 8:00 p.m. The motion passed with the following Roll Call Vote:

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

Resolution #4-2010 - Bonding of the Tax Collector

A motion was made by Councilwoman Neer and seconded by Councilman Gick to approve Resolution #4-2010 Bonding of the Town of Bethany Tax Collector for the 2011 tax collection. The motion passed with the following Roll Call Vote:

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

Resolution #5-2010 - Requesting Funds from the 2010 Justice Court Assistance Program Grant Application

A motion was made by Councilman Wenhold and seconded by Councilman Pietrzykowski to approve Resolution #5-2010 Requesting Funds from the 2010 Justice Court Assistance Program Grant Application.

Local Government Workshop - Approval of Attendance

- The G/FLRPC Fall Local Government Workshop will be held on November 19, 2010 in Mount Morris. As the discounted reservation date does not fall in line with the next warrant, attendance and payment should be pre-approved.

A motion was made by Supervisor Gayton and seconded by Councilwoman Neer to approve the attendance and payment of registration fee for any interested personnel. The motion passed with the following Roll Call Vote:

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

Time Warner Suit

- The Town has been named in a proceeding by Time Warner Cable, Inc. petition the FCC for a finding that their cable television system serving various municipalities is subject to effective competition and is exempt from any rate regulations imposed by the Communications Act.

A motion was made by Councilman Pietrzykowski and seconded by Councilman Gick to authorized Town Attorney David DiMatteo to represent the Town in this law suit. The motion passed with the following Roll Call Vote:

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

Executive Session - Teamsters Contract Negotiations

A motion was made by Councilman Wenhold and seconded by Councilman Gick to go into Executive Session to discuss the Teamsters contract negotiations at 8:45 p.m. The motion passed with the following Roll Call Vote:

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

The Board returned from Executive Session at 9:00 p.m.

Warrant

- The Board approved payment of the bills as follows:

	<u>Prepaid</u>	<u>Total</u>
General Fund	\$ 1,646.63	\$ 4,403.34
Highway Fund	\$ 4,692.12	\$ 39,620.93

Reading of the Minutes - Suspension of

A motion was made by Councilman Wenhold and seconded by Councilman Pietrzykowski 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 Wenhold to adjourn the meeting at 9:02 p.m. The motion passed with All In Favor.

BY ORDER OF THE
BETHANY TOWN BOARD
DATED: October 18, 2010

Respectfully Submitted,

Debbie L. Douglas, Clerk
Town of Bethany