

**TOWN OF BETHANY**

**ORGANIZATIONAL TOWN BOARD MEETING**

**13 JANUARY 2014**

Supervisor Gayton opened the January 13, 2014 Organizational Town Board Meeting at 7:00 p.m. with a Moment of Silence followed by Councilman Wenhold leading in the Pledge of Allegiance.

Town Officials in Attendance were:

Louis Gayton, Supervisor	Walter Wenhold, Councilman
Susan Neer, Councilwoman	Edward Pietrzykowski, Councilman
Debbie Douglas, Town Clerk	Bill Shea, Town Justice
Tom McBride, Town Justice	Paul Fleming, Highway Superintendent
Francis Brunner, Planning Board Chair	
Tim Leary, Planning Board Member	

Town Officials Absent were:

Daniel Adams, Councilman

Attendees to the Meeting were:

Thomas Foss	Carl Hyde, Jr.
Maelynn Hyde	Terry Alwardt
Ryan Morgan, Chief, Bethany Volunteer Fire Company	

**Elected Officials – Oath of Office**

- Justice Shea administered the Oath of Office to Councilwoman Susan Neer and Town Justice Thomas McBride.

**Fire Chief – Ryan Morgan**

- Ryan Morgan introduced himself to the Board as the new Chief of the Bethany Volunteer Fire Company
- Ryan comes with 18 years of experience in fire service.

**Appointments**

A motion was made by Councilman Wenhold and seconded by Councilwoman Neer to make appointments as follows:

Deputy Supervisor	Walter Wenhold
Deputy Town Clerk	Cynthia Schafer
Deputy Highway Superintendent	Mark Heale
Court Clerks	Marie Shea
	Deborah Shufelt
Deputy Tax Collector	Cynthia Schafer
CEO/ZEO	Thomas Douglas
Historian	Linda Schmidt
Bookkeeper	Will Hakes
Assistant Bookkeeper	Debbie Douglas
Registrar	Debbie Douglas
Cap 1 Assessor	Deborah Conti
Highway Department Clerk/Typist	Debbie Douglas
Veteran's Officer	Edward Weis
RMO/RAO	Debbie Douglas
Court Officer	Christopher Hausfelder
Planning Board Chair	Francis Brunner

Zoning Board of Appeals Chair	Nancy Burke
Planning Board Member	James Phillips
Zoning Board of Appeals Member	Diane Fowler
Assessment Review Board Member	Calvin Fleming
Attica Medical Center Rep.	Susan Neer
Retained Legal Council	David M. Dimatteo, Esq.
Insurance Agency	NYMIR-Tompkins Agency
First Depository	Five Star Bank
Second Depository	Bank of Castile
Third Depository	M & T Bank
Official Newspaper	The Daily News (Drummer & Pennysaver as needed)
Retained Consulting Firm	Clark Patterson Lee
Mileage Rate	\$.50

The motion passed with the following Roll Call Vote:

Supervisor Gayton – Yes	Councilman Wenhold – Yes
Councilman Adams – Absent	Councilwoman Neer – Yes
Councilman Pietrzykowski – Yes	

### **Swearing in of Appointees**

The Oath of Office was administered to the following appointees:

Walter Wenhold, Deputy Supervisor  
Debbie Douglas, Registrar  
Francis Brunner, Planning Board Chair

All remaining appointees will appear before the Town Clerk to be sworn in.

### **Salaries**

A motion was made by Councilman Pietrzykowski and seconded by Councilman Wenhold to approve the salaries as follows:

<b>POSITION</b>	<b>NAME</b>	<b>SALARY</b>
Town Supervisor	Louis J. Gayton	\$ 6,375.00
Council Member	Walter Wenhold	\$ 1,651.75
Council Member	Susan Neer	\$ 1,651.75
Council Member	Edward Pietrzykowski	\$ 1,651.75
Council Member	Daniel Adams	\$ 1,651.75
Town Clerk	Debbie Douglas	\$19,499.00
Tax Collector	Debbie Douglas	\$ 2,829.00
Highway Superintendent	Norman P. Fleming	\$53,072.00
Town Justice	William Shea	\$ 9,070.00
Town Justice	Thomas McBride	\$ 9,070.00
Assessor	Deborah Conti	\$18,671.00
Code Enforcement Officer	Thomas Douglas	\$ 1,943.00
Zoning Enforcement Officer	Thomas Douglas	\$ 7,070.00
Deputy Town Supervisor	Walter Wenhold	\$ 1,000.00
Deputy Town Clerk	Cynthia Schafer	\$ 9.50/hr
Deputy Tax Collector	Cynthia Schafer	\$ 9.50/hr
2 <sup>nd</sup> Deputy Town Clerk	Rebecca Myers	\$ 9.50/hr
Deputy Highway Superintendent	Mark Heale	\$ .50/hr
Court Justice Clerk	Marie Shea/Deborah Shufelt	\$ 1,567.50
Court Officer	Christopher Hausfelder	\$ 10.00/hr
Registrar of Vital Statistics	Debbie Douglas	\$ 412.00
Control of Dogs (Licensing)	Debbie Douglas	\$ 1,000.00

Financial Clerk Typist P/T	William Hakes	\$10,295.00
Financial Clerk Typ. P/T	Debbie Douglas	\$ 631.00
Clerk Typist P/T (Highway)	Debbie Douglas	\$ 1,566.00
MEO	Mark Heale	\$ 20.56/hr
MEO	Kenneth Morgan	\$ 20.56/hr
MEO	Joel Merle	\$ 20.56/hr
Laborer F/T	Barbara Czworka	\$ 12.54/hr
Laborer P/T (Refuse)	Barbara Czworka	\$ 10.88/hr
Laborer P/T	Jordan Fleming	\$ 10.88/hr
Laborer P/T	Thomas J. Czworka	\$ 10.88/hr
Laborer P/T	Tyler Czworka	\$ 10.08/hr
MEO/Laborer P/T	Thomas Czworka	\$ 10.88/hr
MEO/Laborer P/T	Forest Hamer	\$ 10.56/hr
Laborer P/T	Jeffrey Ewell	\$ 10.88/hr
MEO P/T	Jeffrey Ewell	\$ 19.56/hr
MEO P/T	Adam Miller	\$ 19.56/hr
Laborer P/T	Adam Miller	\$ 8.65/hr
Laborer P/T	Ashley Wolf	\$ 10.00/hr

The motion passed with the following Roll Call Vote:

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

#### Meeting Dates – Setting of

A motion was made by Councilman Pietrzykowski and seconded by Councilman Wenhold to approve the meeting dates for 2014 as follows:

#### **TOWN BOARD MEETING**

Regular Town Board meetings are held the second Monday of each month at 7:00 p.m.

January 13, 2014	February 10, 2014	March 10, 2014
April 14, 2014	May 12, 2014	June 9, 2014
July 14, 2014	August 11, 2014	September 8, 2014
October 13, 2014	November 10, 2014	December 8, 2014
Year End Meeting & Open House		December 29, 2014 (7:00 p.m.)

#### **BETHANY PLANNING BOARD**

Town of Bethany Planning Board meetings are held the first Thursday of each month at 7:30 p.m.

January 2, 2014	February 6, 2014	March 6, 2014
April 3, 2014	May 1, 2014	June 5, 2014
July 3, 2014	August 7, 2014	September 4, 2014
October 2, 2014	November 6, 2014	December 4, 2014

#### **ZONING BOARD OF APPEALS**

Town of Bethany Zoning Board of Appeals meetings are held, as needed, the fourth Wednesday of each month at 7:30 p.m.

January 22, 2014	February 26, 2014	March 26, 2014
April 23, 2014	May 28, 2014	June 25, 2014
July 23, 2014	August 27, 2014	September 24, 2014
October 22, 2014	November 26, 2014	December 17, 2014*

***Any changes in meeting dates will be posted on the Town bulletin board and in the local newspaper.***

***\* Moved Due To Holiday***

**ORGANIZATIONAL MEETING  
January 12, 2015 7:00 p.m.**

The motion passed with the following Roll Call Vote:

Supervisor Gayton – Yes	Councilman Wenhold – Yes
Councilman Adams – Absent	Councilwoman Neer – Yes
Councilman Pietrzykowski – Yes	

**Fee Schedule – Setting of**

A motion was made by Councilman Gick and seconded by Councilwoman Neer to approve the 2013 fee schedule as follows:

**Permits:**

Land Separation	\$ 25.00	Each additional parcel	\$ 15.00
Special Use Permit	\$100.00		
Subdivision Permit	\$100.00	Each additional parcel	\$ 50.00
Variance	\$100.00		
Site Plan Review (Simple)	\$ 50.00	with Public Hearing	
	\$100.00		
Temporary Mobile Home/RV Permit	\$ 50.00		

\*Note\* any other fees will be assumed by the applicant which may include fees for additional permit requirements, state/county permit requirements, etc. Once the permit process has begun, fees are non-refundable.

**INFORMATIONAL BOOKS:**

Bethany Zoning Regulations	\$ 10.00
Bethany Land Separations Regulations	\$ 3.00
Bethany Comprehensive Plan	\$ 1.00

**DOG LICENSE FEES:**

Spayed/Neutered Dog	\$ 5.00
Unspayed/Unneutered Dog	\$18.00
Senior Discount (over 65)	\$ 2.50
Senior Discount (over 65)	\$10.50
Late Fee	\$ 1.00
Unlicensed Dog Fee	\$ 5.00
Dog Seizure Fine	\$10.00
2nd & consecutive seizures	\$20.00
Enumeration Fee	\$ 5.00

**RETURNED CHECKS** \$15.00

**TRANSFER STATION CARDS:**

Twenty (20) punch card	\$ 40.00
Ten (10) punch card	\$ 20.00

**MARRIAGE LICENSE FEE**

License	\$ 40.00
Additional Certified copy	\$ 10.00

**SPORTING LICENSES:** Fees set by New York State

**COPIES**

Certified & sealed	\$ 10.00 each
Flat Rate	\$ .25 each
Genealogy Copy	\$ 1.00 each

**ZONING PERMIT FEE SCHEDULE**

New Construction—Homes, Additions, Porches, Decks, Renovations		
		\$ 25.00 plus \$.03 per sq. ft.
Garages, Pole Barns		\$ 20.00 plus \$.02 per sq. ft.
Trailers (When Allowed)		\$ 30.00 plus \$.03 per sq. ft.
Accessory Buildings		\$ 30.00 plus \$.03 per sq. ft.
Chimneys, Fire Places, Wood Stoves		\$ 25.00
Swimming Pools & Ponds		\$ 50.00
Solar Permit (NY-Sun only)		\$ 25.00
Agricultural Building (sq. ft.)		
	Up to 200	\$ 2.00
	201— 500	\$ 5.00
	501—1,000	\$ 10.00
	1,001—1,500	\$ 20.00
	1,500—2,500	\$ 30.00
	2,501—Over	\$ 40.00
Commercial Building (sq. ft.)		
	Up to 10,000	\$150.00
	10,001—20,000	\$150.00 plus \$4.00 per each additional 1000 sq. ft. over 10,000
	20,000—Over	\$150.00 plus \$2.00 per each additional 1000 sq. ft. over 20,000

**BUILDING PERMIT/INSPECTION FEE SCHEDULE**

New Construction, Trailers		
	Up to \$ 2,000	\$ 35.00
	\$ 2,001—\$10,000	\$ 75.00
	\$10,001—\$20,000	\$100.00
	\$20,001—Over	\$100.00 plus \$1.50 per per 1,000 over \$20,000
Additions, Alterations, Decks, Porches, Garages, Pole Barns		
	Up to \$5,000	\$ 50.00
	\$ 5,001—\$10,000	\$ 60.00
	\$10,001—\$20,000	\$ 80.00
	\$20,001—\$30,000	\$100.00
	\$30,000—Over	\$100.00 plus \$1.50 per 1,000 over \$30,000
Swimming Pools		
	Above Ground	\$ 75.00
	In Ground	\$150.00
Solar (NY-Sun Only)		
		\$ 75.00
Commercial Buildings		
	Up to \$20,000	\$150.00
	\$20,001—\$50,000	\$200.00
	\$50,000—Over	\$200 plus \$2.00 per \$1,000 Over \$50,000
Fire Places, Chimneys, Wood Stoves		
		\$ 25.00

Inspections of all construction are done in accordance with the NYS Uniform Fire Prevention and Building Code.

Certificates (C of O & C of C) are issued **only when the construction is violation free**, and all health and electrical certificates (if needed) are current and in order, and all fees have been paid.

Dollar value is to be verified by an acceptable contractor. If estimate is based on material and his own labor, the permit will not be issued until an agreement can be reached over the true value of the construction. Any extra time spent for Building Inspector's evaluation shall be charged at \$25.00 per hour.

Any time spent by the Building Inspector for multiple review of contractor's plans for acceptability after requested changes are made, shall be charged at \$25.00 per hour.

Any re-inspection for unacceptable work or for any other reasonable cause shall be charged at \$25.00 per hour.

### **TRANSFER STATION FEES**

Users will be required to bring their garbage in 30-gallon trash bags or 30-gallon trash cans. Transfer Station cards will be required for use of the Transfer Station which may be purchased at the Bethany Town Clerk's office during normal business hours.

1.	Trash bags and/or cans (30 gallon capacity)		\$ 2.00
2.	Appliances (washer, dryer, stove)		\$ 5.00
3.	Furniture - must be broken into small pieces that will completely fit into compactor.		\$ 5.00
4.	Non-stuffed chairs		\$ 5.00
5.	Stuffed couches, chairs, sofas, box springs		\$ 5.00
6.	Carpets (68" length or less) and mattresses		\$ 5.00
7.	Refrigerator, air conditioner, freezer - Must have refrigerant drained professionally - <b>Certificate Required</b>		\$ 20.00
8.	Toilets, sinks, plumbing accessories		\$ 5.00
9.	Florescent Lamps <b>(Must be recycled!!!!)</b>	8' tubes	\$ 1.00 ea
		All others	\$ .50 ea

### **Tires will be accepted for disposal all year long at the following prices:**

1.	Car tire w/o rim	\$ 3.00
2.	Car tire with rim	\$ 5.00

Tires of any other size will not be accepted

**All plastic, glass, tin and aluminum items must be rinsed of all food particles, exterior wrapping removed. Individuals will be charged for failure to properly rinse recyclables.**

**PLASTIC #1 - #5**  
containers and

Food, juice and laundry. Flatten plastic  
remove all caps.

**GLASS (CLEAR, GREEN, BROWN)**

All tops must be removed.

**TIN/ALUMINUM CANS**  
aluminum foil is

Tin & Aluminum are separated. Clean  
accepted.

**PAPER/MAGAZINES/JUNK MAIL**

Shredded paper must be bagged.  
Telephone books are not recycled.

**CARDBOARD**

**SCRAP METAL**

Check with transfer station attendant  
regarding scrap metal that you would like dispose of.

**ELECTRONICS**

Must be recycled as of 1/1/11.

### **FOR USE BY TOWN OF BETHANY RESIDENTS ONLY**

**Decisions by the Transfer Station Operator  
regarding solid waste disposal are final.**

The motion passed with the following Roll Call Vote:

Supervisor Gayton – Yes

Councilman Wenhold – Yes

Councilman Adams – Absent

Councilwoman Neer – Yes

Councilman Pietrzykowski – Yes

**Resolution #1-2014 Official Undertaking**

A motion was made by Councilwoman Neer and seconded by Councilman Wenhold to approve Resolution #1-2014 Official Undertaking as follows:

WHEREAS, various sections of New York State Town Law and Public Officers Law require that certain officials execute and Official Undertaking; and

WHEREAS, we, the Town Board of the Town of Bethany hereby require the Supervisor, Town Clerk, Tax Collector, Town Justice, and Highway Superintendent to execute said Official Undertaking as required by said law;

NOW, THEREFORE BE IT RESOLVED that we, the Town Board of the Town of Bethany approve the document entitled "Town of Bethany Official Undertaking of Municipal Officers" as to its form and manner of execution and the sufficiency of the insurance, and

BE IT FURTHER RESOLVED that said Official Undertaking containing the notarized signatures of those named municipal officials be filed in the Office of the Town Clerk, as well as the original copies of the insurance policies indicating the sufficiency of the sureties to indemnify the Town against losses which may arise from failure of such officials to properly discharge their duties.

**TOWN OF BETHANY  
OFFICIAL UNDERTAKING OF MUNICIPAL OFFICERS**

WHEREAS, Louis J. Gayton, of the Town of Bethany, County of Genesee, New York, has been elected to the Office of Supervisor of the Town of Bethany, and

WHEREAS, Debbie L. Douglas, of the Town of Bethany, County of Genesee, New York, has been elected to the Office of Town Clerk of the Town of Bethany, and

WHEREAS, Debbie L. Douglas, of the Town of Bethany, County of Genesee, New York, has been elected to the Office of Town Tax Collector of the Town of Bethany, and

WHEREAS, William E. Shea, of the Town of Bethany, County of Genesee, New York, has been elected to the Office of Town Justice of the Town of Bethany, and

WHEREAS, Thomas R. McBride, of the Town of Bethany, County of Genesee, New York, has been elected to the Office of Town Justice of the Town of Bethany, and

WHEREAS, Norman P. Fleming, of the Town of Bethany, County of Genesee, New York, has been elected to the Office of Superintendent of Highways of the Town of Bethany, and

NOW, THEREFORE, we as respective officers above, do hereby undertake with the Town of Bethany that we will faithfully perform and discharge the duties of our office, and will promptly account for and pay over all moneys or property received as a Town Officer, in accordance with the law; and

This undertaking of the Town Supervisor is further conditioned upon that he will well and truly keep, pay over and account for all moneys and property, including any special district funds, belonging to the Town and coming into his hands as such Supervisor; and

This undertaking of the Town Clerk is further conditioned that she will well and truly keep, pay over and account for all moneys and property coming into her hands as such Town Clerk; and

This undertaking of the Tax Collector is further conditioned that she will well and truly keep, pay over and account for all moneys and property coming into her hands as such Tax Collector; and

This undertaking of the Town Justice is further conditioned that he will well and truly keep, pay over and account for all moneys and property coming into her hands as such Town Justice; and

The Town does and shall maintain insurance coverage, presently with Tompkins Insurance, in the sum of \$1,000,000.00 for the Tax Collector, Supervisor and Town Clerk to indemnify against losses through the failure of the officers, clerks and employees covered thereunder faithfully to perform their duties or to account properly for all monies or property received by virtue of their positions or employment, and through fraudulent or dishonest acts committed by the officers, clerks and employees covered thereunder.

The motion passed with the following Roll Call Vote:

Supervisor Gayton – Yes	Councilman Wenhold – Yes
Councilman Adams – Absent	Councilwoman Neer – Yes
Councilman Pietrzykowski – Yes	

**Resolution #2-2014 Emergency Use of Highway Equipment**

A motion was made by Councilman Pietrzykowski and seconded by Councilwoman Neer to approve Resolution #2-2014 “Emergency Use of Highway Equipment” as follows:

WHEREAS, it may be necessary that the Bethany Volunteer Fire Company may need assistance in gaining access to an emergency scene by way of plowing, moving storm debris, etc; and

WHEREAS, the Town of Bethany Highway Department has or has access to equipment to provide this assistance, now therefore, be it

RESLOVED, that the Town of Bethany Highway Department may use equipment and manpower to assist the Bethany Volunteer Fire Company in gaining access to an emergency scene at the request of the Bethany Volunteer Fire Company.

The motion passed with the following Roll Call Vote:

Supervisor Gayton - Yes	Councilman Wenhold – Yes
Councilman Adams – Absent	Councilwoman Neer - Yes
Councilman Pietrzykowski – Yes	

The Organizational meeting ended at 7:31 p.m.

BY ORDER OF THE  
BETHANY TOWN BOARD  
DATED: January 14, 2014

Respectfully Submitted,  
  
Debbie L. Douglas, RMC  
Bethany Town Clerk